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TEAMSTER CONVOY DISPATCH

109

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

Jan./Feb. 1990 #93

Central States Pension Fund Study:

Fund Could Raise Benefits Now

An independent actuarial study of the Central States Pension Fund's financial status confirms what rank and file Teamsters have long suspected: the fund could raise benefits without increasing employer contributions one cent! For instance, the 30-and-out benefit could be doubled to \$2,000 per month at any age. Or, the 20-year benefit could be raised from \$900 to \$1,250 per month at age 60.

Deep concern about the study's conclusions was expressed by the 400 Teamsters in Columbus, Ohio, and the 150 in St. Louis, Mo., who heard reports at meetings on Jan. 20 and 21.

The study concludes that instead of representing the best interests of union members, our union trustees are content to protect the employers' pocketbooks by keeping benefits down. And why shouldn't they be? The

Central States benefits are added to the officers-only pensions that these union trustees are themselves eligible to receive and that our dues pay for.

David Blitzstein, senior benefits

"... the real problem with the way benefits and funding are being determined in the Fund is that there is no union representation. By its actions, the Fund seems to be totally dominated by management."

consultant for the Washington, D.C., actuarial firm Poulin Associates, Inc., studied the Central States Fund's financial health and the trustees' explanations of why benefits cannot be increased. His report concludes, "The trustees have taken an unbalanced pro-management position which prioritizes the elimination of withdrawal liability over all other considerations." This "pro-management position" by all the trustees, union

and management, is the reason our benefits stay low.

Withdrawal liability is actually good for our union pension fund. What is withdrawal liability? If a company is

paying into the fund for its Teamster employees and then goes out of business or leaves the fund for some other reason, the law requires that it pay to the fund enough money to cover its employees' vested benefits. That is its withdrawal liability. In 1987-88, \$115 million came into the Central States Fund from withdrawal liability.

So the withdrawal liability produces important income from those companies that have to leave the fund. More importantly, it can be a major reason for a company to stay in the fund. Withdrawal liability and bargaining are the glue that holds a multi-employer pension fund like Central States together. Without a withdrawal liability, according to Blitzstein, "... the union could be drawn into a series of major industrial disputes [strikes] in an attempt to protect the contribution base of the Central States."

If the fund already has enough in the bank to cover all vested benefits, the company that withdraws doesn't have to pay anything. There is no liability for withdrawal. That's what our trustees are saving for: enough in the bank to eliminate withdrawal liability. This leads to a studied conclusion by Blitzstein that Teamsters in the Central States Fund have known for years: "... the real problem with the

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Campaign Momentum Building for '91

It takes a few rolling boulders to start an avalanche and that's exactly what's happening in our Teamsters union.

Last fall's election season in many locals featured heightened rank and file interest and participation. There were spirited campaigns, some in locals that had not seen contested elections in years, if ever. And there were some surprising victories by rank and file Teamsters who reached out to the members and said, "It's time for the members to call the shots in our local union."

Local Election Victories

At the TDU Rank & File Convention in November, members clarified our mission during the next two years. TDUs must spearhead the drive to elect new leadership at the top of our union and IBT Convention delegates who won't be afraid to stand up and vote for reforms in our Teamsters Constitution. But there was also a keen awareness that to achieve victory in 1991, our efforts must directly or indirectly inspire a movement that reaches the members of every Teamster local union in North America.

Eugene, Ore., Local 57 members gave themselves a Christmas present with the election of a new slate of officers led by TDU member Tom Shay. Tom lists his goal as "basic unionism"—building a strong

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The Wall Is Tumbling Down

The "Berlin Wall" of accountability in our union that has insulated International officers from the rank and file is tumbling down. It's time to come forward, step through the ruins of that wall and make our union great again. We invite you to take the step and join TDU today.

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local Union # _____
(please print)

Address _____

City _____ State or Province _____ Zip _____

Phone () _____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production
☐ Other _____

Optional: Spouse's name _____

____ \$30 membership fee for one year's membership & subscription to CONVOY DISPATCH.

____ \$75 three year membership fee. (\$10 of this shall be rebated to the local chapter.)

____ \$15 for spouses; retirees; & Teamsters who gross less than \$12,000 a year.

☐ Check or money order ☐ Cash

☐ Mastercard/Visa: # _____ Exp. date _____ / _____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials)

Teamsters for a Democratic Union
P.O. Box 10128
Detroit, Mich. 48210
(313) 842-2600

This paper is paid for and distributed by concerned Teamsters. We invite you to do your part—join TDU to help improve our union.

UNION SOLIDARITY

Negotiate M.L. King Jr. Day

"We have also come to this hallowed spot to remind America of the fierce urgency of now. ... Now is the time to make real the promises of democracy. ... Now is the time to make justice a reality for all of God's children."

— Dr. Martin Luther King Jr., at the Lincoln Memorial, Aug. 28, 1963.

Martin Luther King Jr. Day has been celebrated as a national holiday since 1986—a half decade—yet its observance by employers is as mixed as the racial divisions within our society.

Federal offices and state offices in 45 states are closed for the day. But a survey by the Bureau of National Affairs (BNA) reports that only 18% of employers provide the day off with pay. Union-organized companies are more likely to observe the holiday.

In New York more than 100 health care institutions observe the holiday because Local 1199 pushed hard for it out of feelings of personal debt to Dr. King for his help in organizing the union. He also was instrumental in the success of Memphis city sanitation workers who struck for recognition of

their AFSCME local union in 1968. It was this struggle that brought him to Memphis the week of his assassination. This year Ford, Chrysler and General Motors plants shut down, as mandated by UAW contracts.

Indeed, all union members benefited from Dr. King's organizing. His vision of civil rights and economic justice included a strong understanding of the need to organize unions and build unity—racism divides workers to the benefit of union busters. He saw unions as a powerful engine of social justice. This role of our unions—to promote social and environmental benefits for the whole society, and indeed the world—is now more compelling than ever.

With negotiations approaching at



United Parcel Service, the largest employer of Teamsters (140,000), it is time for our International union to demand this holiday at UPS and start the trend in other jurisdictions.

Bargaining for recognition of the holiday will not in itself solve the problems of racism, inequality, homelessness, drug and alcohol abuse, inner-city decay and environmental destruction. But it can provide a symbol of unity from which to draw strength toward solutions. As Dr. King prophesied in his "I Have a Dream" speech:

"This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. 1963 is not an end but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual."

Teamsters can take inspiration from this message at this historic time in the movement for democracy and rank and file control of our union. Our autumn of freedom and equality is coming in 1991.

AMERICA WORKS BEST WHEN WE SAY,

UNION YES

In Solidarity Creative Photo Crafts Inc. 222 MAIN STREET • TOLKOO OH 43060

Show your union solidarity with Union Yes bumper stickers. These full-color, union-printed stickers are available for \$1 each, or 12 for \$10 through the TDU office. The stickers are 7.5 inches by 3.5 inches and feature the TDU logo. Union Yes buttons (without the TDU logo) are also available for \$1 each.

Teamster Solidarity

Boycott Holly Farms Chicken

Teamsters in North Carolina Local 391 at Holly Farms/Tyson Foods have been on strike since Oct. 1. Holly Farms drivers and yard workers voted 211 to 70 for Teamster membership March 9, 1989, and were certified shortly thereafter. The company

began an intimidation campaign, stonewalled bargaining, and unilaterally cut the workers' pay after announcing that Tyson Foods would operate the transportation division and the union would no longer be recognized.

The NLRB issued a complaint against the corporation and a hearing on its unfair labor practices was ongoing at press time. Local 391 members request your support with a boycott of Holly Farms/Tyson Foods products for the duration of this labor dispute.

Boycott Silo Stores in Philly

Fifty Teamsters in Philadelphia Local 623 have been on strike at the Silo warehouse for more than three months. Silo is a British-owned electronics and appliance chain with some 215 stores in the United States. Two main issues are health & welfare and job protection as Silo wants to be able to hire part-timers while full-timers are on layoff. Strikers were injured when scabs drove their cars through picket lines. A boycott of local Silo stores is requested.

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1989 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

How to Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

National Office: P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.

Washington Office: 2000 P St., N.W., Suite 700, Washington, D.C., 20036. (202) 785-3707.

N.Y./N.J. Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, N.Y., 11217. (718) 852-9230.

Western Organizer: Doug Allan, P.O. Box 7445, La Verne, Calif., 91750. (714) 593-9791.

TDU International Steering Committee

Co-Chairs:

Pete Camarata, Detroit Local 299
Dan Campbell, Saginaw, Mich. Local 486
Diana Kilmury, Vancouver, B.C., Local 155
Michael Savoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

Trustees:

Sarah Bequette, St. Louis Local 600 spouse
John Braxton, Philadelphia Local 623
J. Anthony Smith, Washington, D.C., Local 639

Members:

Scott Askey, Barstow, Calif., Local 63
Sam Fenn, Los Angeles Local 63
Jackie Jenkins, Memphis, Tenn., Local 891
Connie McArthur, Seattle Local 174
J. B. McCallister, Denver Local 961
Michael Ruscigno, New York Local 138
Don Stone, Detroit Local 283

Alternates:

Dana Beougher, Tampa Local 79
Gillian Furst, Minneapolis Local 1145
Rick Clark, Boston Local 25

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PENSION, H&W NEWS

Central States Fund Could Raise 30-and-Out to \$2,000

Trustees Choose to Benefit Employers

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way benefits and funding are being determined in the Fund is that there is no union representation. By its actions, the Fund seems to be totally dominated by management."

The Bottom Line: What Can Our Fund Afford?

The question of what a multi-employer pension fund like the Central States can afford to offer in benefits is based on many variables of income and costs over time. The answer to the question, "What can the fund afford?" is not as simple as the answer to the question, "How much is in the bank?" What the fund can afford depends on a judgment of what is reasonable financial soundness. Blitzstein's report shows the fund trustees have gone far beyond "reasonable" in their quest to eliminate withdrawal liability.

The complexity of the Central States' benefit structure makes affordability an even more difficult question. An increase in one type of benefit will affect the costs of other benefits. A wide variety of improvements are being sought by rank and file activists, and the independent study provides some basic information on a range of options.

The Central States Fund has full-time actuaries hired to do this work, at a cost of about \$750,000 per year, and we hope our trustees are finding out from them how to fund a good package of improvements. But since our trustees don't share this information, rank and file Teamsters, spearheaded by the Ohio Teamsters Pension Improvement Committee (OTPIC) and TDU, hired top experts to do an independent study of the fund. The results give a good indication of what our fund can and should provide.

Possible Benefit Improvements

For instance, even without an in-

crease in employer contributions, the fund could increase its 30-and-out benefit to \$2,000. Or, it could increase the 20-year service pension to \$1,250. Another option now available is to quit reducing the pensions of retirees who choose the joint-and-survivor benefit, and pay their surviving spouses 75% of that unreduced pension. Yet another option would be to double the disability benefit to \$500.

With a moderate increase in employer contributions—less than 50 cents an hour—the fund could pay a \$3,000 30-and-out. Or, it could provide a \$1,500 25-and-out. Or, it could pay a 20-year service pension (at age 60) at \$1,500.

With a 34-cent-per-hour increase in contributions, the fund could pay to surviving spouses 100% of a pensioner's unreduced benefit. Or, for about the same increase, it could pay to all current retirees 4% cost-of-living increases every year for life.

The increases in employer contributions cited are increases in the overall average, and do not necessarily reflect the buying power of a particular collective bargaining agreement.

Teamsters Meet in Columbus, St. Louis to Discuss Report

Some 550 Teamsters met in two cities in January to discuss the actuarial report and what can be done to make our pension trustees work for us.

In Columbus, 400 people turned out to hear about the pension report and to hear a talk by Ron Carey, candidate for IBT General President (see page 5). Carey's Local 804 pension fund was the first in the country to provide a 25-and-out benefit.

Pension specialist David Blitzstein presented a wealth of factual information that showed the Central States trustees are being too stingy with benefits. OTPIC, which sponsored the meeting, vowed to continue organiz-

ing for better benefits.

In St. Louis, 150 Teamsters and spouses heard a report by Chicago attorney Amy Beckett on lawsuits to change the re-employment rule and to provide promised benefits to Kroger Teamsters with seniority prior to 1971. TDU staff gave a report on the independent actuarial study. A 100% joint-and-survivor benefit, and cost-of-living increases for retirees were two of the concerns expressed. Bargaining for better contributions was noted as a goal by Teamsters under local contracts with sub-standard pension language. Members in Locals 600, 618 and 688 discussed plans to run for delegate to the 1991 IBT Convention, and to use those seats to get a new set of union pension trustees.

Organize for Better Benefits

This study shows that major benefit improvements can be made now, and even more with moderate increases in contributions through bargaining. Our challenge is to get the trustees to act. You can keep the momentum building.

- **Spread the word.** Order copies of this paper to distribute to co-workers. Contact us if you'd like a pension meeting in your area.
- **Join a delegate campaign** in your local. Elected delegates to the 1991 Teamster Convention can set the trustees on a pro-union track or replace them with people who will represent the working and retired Teamsters.
- **Just Say No ...** to a contract that does not provide for improved pension benefits. Contact TDU about information on contracts and better pensions.
- **Join TDU** and be part of the solution. Your \$30 commitment is a small price for an investment in a better future. See application on page 1.

For a copy of the independent study of the Central States Pension Fund, write to TDU, Box 10128, Detroit, Mich. 48210. Free to TDU members, others please include a donation.

N.J. Petition for Pension Fairness

New Jersey Teamsters are stepping up their efforts to bring fairness to pension rules. The state has dozens of Teamster locals and almost as many separate pension plans.

Many members have lost benefits because they moved from local to local. Many times they didn't even change employers.

Joint Council 73

Prior legal action removed some of the worst abuses. Benefits had been set at the level when people left the local, sometimes 20 years ago. A legal precedent was set by TDU in the Hoover case and many locals stopped

Movement Gets Trustees' Attention

After nine months and several unanswered letters, the trustees of the Western Conference Pension Trust are finally responding to the 15,000 Teamsters from 95 local unions who signed a petition for pension improvements.

Late last year, pension trustee and IBT VP Mike Riley met with Doug Allan, TDU Western organizer, and expressed concern that so many members are dissatisfied with the fund's pension benefits. Riley told Allan that the chair of the trustees, Joe Ballew, had not responded to letters regarding the petitions because he had not received any petitions with signatures. The pension campaign is again sending copies of the signed petitions in hope of starting a serious dialogue.

Western Conference

The petition asked for moderate increases such as those found to be affordable by the Central States Pension Fund: a \$2,000 30-and-out, cost-of-living increases, and full benefits for surviving spouses. It asked the trustees to tell negotiators what increases in employer contributions, if necessary, would be needed to provide these increases, and to meet with a delegation the petition's signers.

The Western fund has been fully funded since Dec. 31, 1988, and some officers have expressed concern about pressure from employers who want to withdraw from the fund. A significant increase in benefits could help relieve that pressure by restoring a withdrawal liability.

TDU is collecting information and planning research to find what improvements are possible. Members will not be satisfied with lame excuses that full funding must be protected.

**Central States Pension Fund
Benefit Improvements Possible Right Now**

- ✓ **30-and-out, any age, at \$2,000/month**
Currently \$1,000/month
- ✓ **20-year-service pension at \$1,250/month**
Currently \$900/month
- ✓ **One-time \$100/month increase for all current retirees, for life**
- ✓ **Subsidized Joint-and-Survivor Benefit:**
Surviving spouse gets 75% of unreduced benefit
Currently surviving spouse gets 50% of benefit reduced by about 15%

Any **one** of the above benefit improvements could be provided by the Central States Pension Fund without any increase in employer contributions and without any danger to the future health of the fund, according to a December 1989 report by pension and benefit consultants Poulin Associates, Inc.

this practice after the threat of legal action. But many problems remain.

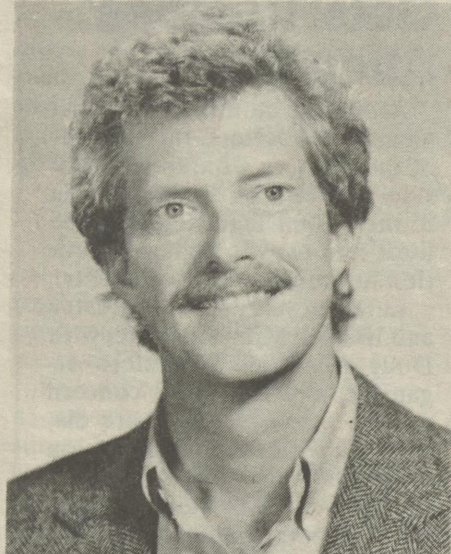
The 30-and-out programs often do not apply or are reduced for people on split, reciprocal pensions. Medical benefits have been denied to some early retirees. Some plans froze benefits as of 1986 for reciprocal pensions only, including already low disability pensions. This skirted the ERISA ban on a lowering of benefits, but cut pensions now and the damage will increase with time.

Gene Matuzak of PIE, Local 701, wrote to Joint Council 73, along with the hundreds of petition signers, asking for a program to correct these problems.

Victories in Local Elections Build Momentum for '91

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union, getting the nearly 2,000 members of the local involved in union activities and organizing. Brother Shay and many other Local 57 members



Tom Shay, secretary-treasurer, Local 57

built a grass-roots movement to win the election.

"After years of trying to reform our local and eventually being blacklisted by our own union, we won," Shay said. "Brother and sister Teamsters from across the Northwest—and across the country—supported us with campaign donations, letters of encouragement, and countless calls. You made us proud to be Teamsters!"

The 2,000 Teamsters of Local 481 in San Diego cleaned house in December, electing an entire new executive board—the Democracy & Justice Slate—headed by TDuer Rodger Whitehead, the new secretary-treasurer. "We've inherited a tough situation. We want to build this union strong from the ground up," Whitehead stated.

The incumbents had been in power for many years, but were challenged by a grass-roots movement that was built during the past year. The job of unifying the membership was far from easy:

Local 481 workers include car rental agencies, tire shops, ambulance drivers and the San Diego zoo, with over 100 shops in all. That job of unification will continue. The reform movement within or union began primarily in trucking and warehousing, but as this election and many others show, it has now reached into all our Teamster crafts and areas.

Dave Robbins, the new secretary-treasurer and principal officer of Boston Local 504 was elected by acclamation in October when the long-time incumbent decided to retire, following the announcement of Robbins' candidacy. His election came after a history of activity in the warehouse where he worked and as recording secretary.

In 1988, a new contract was negotiated at Lindenmeyr Paper after a successful unity campaign in the shop. Shortly thereafter, the company merged with a non-union competitor, so the union's future was on the line. Robbins took action.

"We decided after discussion to accept jobs at the non-union warehouse and try to organize. We won the vote at one warehouse, and won at another one, too, but the company contested the second and stalled it at the NLRB.

"We felt the union wasn't doing much. In April 1989 negotiations started but the union brought no pressure to bear on the employer. We needed creative tactics and a change in leadership. So I decided to run."

Now Robbins is working to get more participation in union functions and an organizing program. "I want to show both the members and other Teamster officers that we can build a good strong local. We hope to show by example."

In Newark, N.J., Local 843, TDuer Gene Giacumbo and all three other members of his slate won. Giacumbo is principal officer. The local covers part of the Anheuser Busch brewery workers. The new executive board now includes its first woman, Debra Kuffer, and Freddie Chambers, who has pioneered for equal treatment for black brewery workers. The slate did not just campaign, it showed how it would lead. When management tried to replace the cafeteria workers with contract labor, Giacumbo and others bought 500 pounds of peanuts and organized an effective boycott that won reinstatement of the union members.

Congratulations to TDuer Bob Dubian who was re-elected to his fourth term as the secretary-treasurer and principal officer of Hartford, Conn., Local 559.

St. Louis Local 600 elected a new president, Bobby Robertson. Robertson had been the secretary-treasurer and ran for president instead of the incumbent Tim Barnes, who narrowly won election for vice president. All three trustee spots were won by independent candidates, topped by TDuer and Churchill driver Roger Wood.

Congratulations to TDU activist O.L. Pinson, a Roadway Express road driver who was re-elected as trustee of Shreveport, La., Local 568.

In Local 138, Long Island City, N.Y.,

the New Beginnings Slate that had ousted the Robistello family three years ago was re-elected without opposition. Some 300 members turned out at the nominations meeting to applaud the changes brought to the local so far by President John Georgopoulos. He told the members, "In 1986 the election of the New Beginnings Slate was the voting out of the old officers. In 1989 our membership presented us with their highest honor, voting us in by acclamation. With this honor comes the greatest of responsibilities. Our commitment to service and protect our members is and will remain Number 1."

Local 808, Woodside, N.Y., covers Teamsters at the Metro North Railroad. After a series of scandals in the finances of the health & welfare fund, the local had three administrations during 1989, each of which bled yet more money from the treasury. Finally, a slate of rank and file members persevered through some intimidation and won. Secretary-Treasurer Chris Silvera heads an executive board working to rebuild the local's effectiveness and Bob Eaton will lead the effort to put the H&W fund in shape.

In New York City bakery drivers Local 802, a reform slate, with TDU support, won a majority of seats on the executive board, but not the full-time positions. Al Cohen, the local's new vice president, said, "We've already saved the local some money over excessive severance arrangements and will be advocating other policies to improve the union."

Also at Anheuser Busch, members of Syracuse Local 1149 elected a new leadership team. And Plattsburgh, N.Y. Local 648 has a new leadership headed by Ken Ramsey. The local sits on the U.S.—Canadian border and will be growing as a new car plant outside Montreal comes on line.

In the lost-but-not-out category, TDuers John Braxton and Howard Troendle ran as independent candidates for president and trustee, respectively, against the incumbent slate in Philadelphia Local 623. Braxton ran on issues such as ending two-tier wage scales in our contracts, while the incumbents responded with a slander campaign. Voter turnout was light in a local whose majority membership is comprised of part-timers at UPS's new Philadelphia air hub, and the incumbents won easily.

This is not a complete list of fall election activity by any means, but a good indicator of how member interest in the affairs of our union is increasing. The big challenge is the delegate elections in 1990-91 and the election of our IBT officers in fall '91.

Experience gained in both victories and defeats this year is critical in the course toward building a strong, democratic union, from the rank and file all the way to the General Executive Board. Democracy in our union has never reached that high before, but the avalanche of our movement will ensure the election of International leaders who won't forget to keep their footholds among the grass roots.

Vitale Clings to Office Thanks to International

Rank & File Slate Prepares to Win Again in Rerun Election

A defeated George Vitale and his administration, like a bad infestation of roaches, just won't clear out of the Detroit Local 283 union office. Vitale, the International VP from Detroit, was voted out of the principal office of the local in October, defeated by TDuer Don Stone of the Rank & File Slate. The Rank & File Slate won three out of four contested positions. But contrary to the membership's will, Vitale and his "team" are still clinging to office for a couple of final months.

Vitale took bogus election protests to Joint Council 43. He called a piece of company stationery, which an unknown member had posted with the words "rank and file, vote," an employer contribution. Vitale's buddies on the joint council upheld the protest, to no one's surprise, and ordered a new election—maybe this time the members would get it right.

To make sure that the Vitale "team" would suffer no risks in the new election, the joint council said Rank & File Slate member Jeff Wardzinski, who lost by nine votes in October, would not be allowed to run. This would ensure that at best the Rank & File Slate could only win the minority of three seats on the executive board it had already won.

The joint council also ordered: "The rerun election shall be supervised by this Executive Board, and we hereby designate Secretary-Treasurer Rondal C. Owens or Recording Secretary William Bernard to act on our behalf in supervising the election on a day-to-day basis." Bernard was recently charged for his part in the BLAST goon squad attack at the 1983 TDU Convention (see page 5).

The Rank & File Slate appealed the joint council's decision to the International union and also prepared to go into federal court. The International ruled in late January and backed off on

two points. First, the entire election will be re-run, including the one race that was lost by the Rank & File Slate. Second, Bernard and Owens will not be in charge of the election, and there is a recommendation that an impartial agency such as the mediation service or American Arbitration Association oversee it.

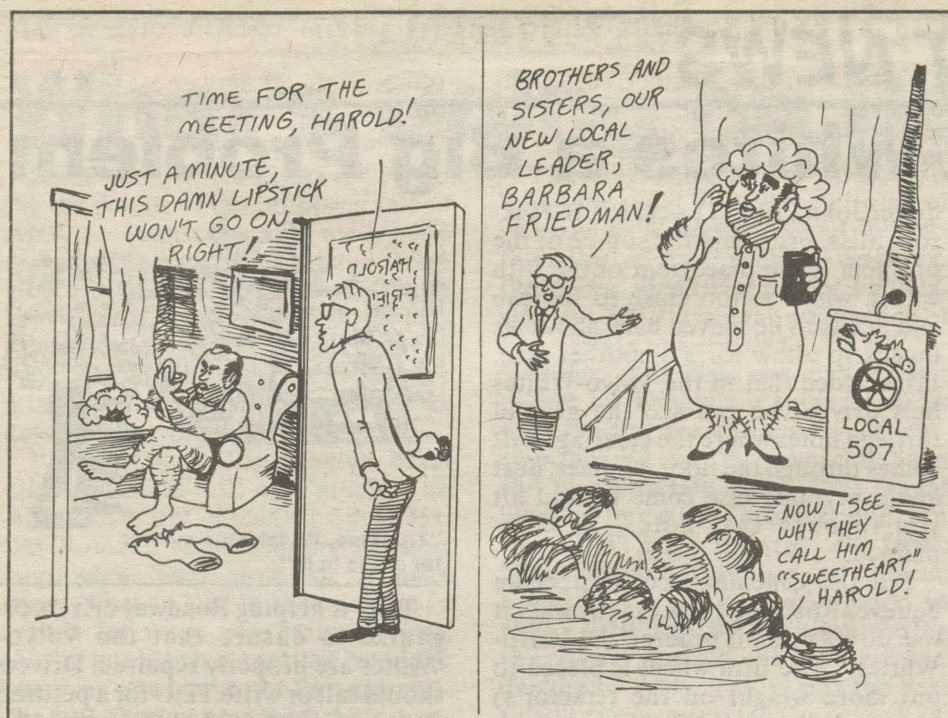
Under the IBT Constitution and federal law the contested winners of an election take office while election protests are decided. So the winning members of the Rank & File Slate should have taken office on Jan 1. But such things as the constitution and federal laws have never been a problem for Vitale.

"Members of our local are outraged by this action. But I firmly believe that a fair election will result in our entire slate winning by a much larger vote," said the local's true president, Don Stone.

Detroit Local 283

The campaign for the second election is well underway. Vitale and the incumbents are grandstanding at stewards meetings and visiting shops for the first time in years. Many members wonder who he is! Meanwhile, the Rank & File Slate campaign committee is growing and includes members from more workplaces than the initial campaign committee. They are producing their own newsletter (Local 283 publishes no membership news and holds no general membership meetings), and planning fund-raising events and rallies.

Rank & File Slate members see the strain of the second election as "just one more hurdle to overcome," according to Stone. "The thing that keeps us going is the belief that an informed and involved membership makes for a strong union."



Racketeer Takes \$312,000 Local 507 Severance

Lacey Suspends Friedman, Mrs. Friedman Rises to Top Post

Court-appointed Administrator Frederick Lacey has suspended Harold Friedman from his remaining union posts, but the world's highest paid union official has arranged a "golden parachute" to ease the pain. He will be paid a severance of \$312,000 from the Cleveland Local 507 treasury, and his wife Barbara has assumed the post of secretary-treasurer and principle officer of the local. She will receive a salary of \$156,000.

The court-appointed investigations officer, Charles Carberry, brought charges against Friedman based on, among other things, his conviction last year for racketeering and embezzling union funds in a ghost-employee scam. Lacey found Friedman guilty and suspended him from office. He could not bar him permanently at this time, as Friedman has an appeal pending in the federal courts.

The Local 507 executive board last May had appointed Mrs. Barbara

Friedman to the secretary-treasurer post formerly held by the late Jackie Presser. They also decided her salary would rise to \$3,000 per week if her husband "leaves office for any reason."

These latest financial maneuvers could lead to further charges. Meanwhile Friedman seems to remain in good standing with IBT President William McCarthy.

Lacey also handed the same sentence to International Rep Tony Hughes, who was convicted with Friedman. Hughes was a long-time associate of Jackie Presser and claimed that his punishment should be less as he was a fink for the FBI. Hughes is not headed for poverty either. His severance is set at \$70,000.

Friedman also heads the Ohio Conference of Teamsters, and that vacancy may be filled by Harold Leu, president of Toledo Local 20. Apparently, Mrs. Friedman will not be assuming that position.

Carey Begins Campaign Tours

The campaign of Ron Carey, the independent candidate for General President, hit the road with rallies in Columbus and Cleveland, Ohio, on Jan. 20 and 21. Crowds overfilled halls in both cities as 400 Teamsters turned out in Columbus and 250 in Cleveland.

Carey brought the Teamsters to their feet with his call for a new day and new leadership in our union. He spoke of his role as a pension trustee and contrasted it with the functioning of some union trustees on some major funds. He talked about the grievance panels and contracts, and the future of our union and unionism in general. And he said the employers will find out when he becomes president that "the party's over."

The Columbus meeting was attended by over 100 members from other areas, including Springfield, Dayton, Cincinnati, Toledo,

Mansfield and Zanesville, Ohio, as well as delegations from Kentucky, Pennsylvania, Michigan and West Virginia. In addition to the wide spectrum of rank and file members, a number of officers of various local unions attended, some pledging support on the spot.

The Cleveland meeting also drew Teamsters from a regional basis, including Akron, Canton and Youngstown, Ohio, and from Western Pennsylvania.

The Teamsters present at both did more than applaud. They donated thousands of dollars and many filled out pledge cards to join in the campaign and help build it. A number are organizing reform slates to run for delegate in their local unions.

Carey will take his campaign to the South early in February, with meetings in Atlanta and Fayetteville, N.C., Feb. 3 and 4.

Michigan Officials Charged for Parts in 'BLAST' Goon Squad

Three Michigan officials have been brought up on charges by IBT Investigations Officer Charles Carberry for goon-squad activity against TDU members. Bill Bernard and Dennis Hands, secretary-treasurer and president, respectively, of Jackson, Mich., Local 164, and Ed Kanzler of the Central Conference face a hearing before Judge Lacey. If found guilty they could be removed from office.

The charges stem from an attack by Michigan and Ohio officials and their cronies carried out on Oct. 15, 1983, at the Hilton Hotel in Romulus, Mich. Top officials orchestrated the "BLAST" squad of some 150 persons to break through a police line into the hotel to attempt to bust up the TDU Rank & File Convention.

IBT President Jackie Presser, Michigan leader Robert Holmes and other top officials promoted the action. Presser, who later took the Fifth Amendment about the attack before the President's Commission on Organized Crime, bragged to his Joint Council 41 executive board that he "knew all about it" and "we should be doing more of that."

TDU filed suit against BLAST and got \$5,000 and an injunction. BLAST, an acronym for "Brotherhood of Loyal Americans and Strong Teamsters," disappeared thereafter.

These three bring the number of officials charged by the investigations officer to 20 so far, for various offenses. More officials certainly should be charged for the BLAST goon squad, according to TDU steering committee member Pete Camarata of Detroit.

"We've had to contend with this Hearings in March

Election Rules to Be Set Soon

The rules that will govern our first-ever membership vote for IBT General President and General Executive Board (GEB), and the delegate elections in all our locals, will be set very soon. The proposed rules from the election officer are expected in February and open hearings will follow in March. Then the final rules will be issued, and binding on all locals and the International.

Election Officer Michael Holland, former general counsel of the United Mine Workers, had published a schedule last year, but it has been delayed slightly due to the stalling tactics of the GEB. The GEB had con-

kind of intimidation, and also black-listing members from their livelihood, here in Michigan too long. The only way the coming rank and file elections in our union can be truly free is with some protection for the members from this kind of anti-union activity," Camarata said.

Charges are also expected soon against more top Michigan officials for other offenses. These include Nellie McKim, the head of Lansing Local 580, who has a history of confusing the union treasury with her personal bank account. Recently appointed International VP George Vitale has had the same problem, as well as that of taking employer payoffs, as well as that of refusing to vacate office after losing the election in Detroit Local 283.

Judge Bars Suits By Local Unions

Federal Judge David Edelstein in January permanently enjoined all Teamster local unions from filing lawsuits or taking other actions to interfere with the court-appointed officers or with the election process that came about as part of the RICO settlement. They can only bring suits or issues before Edelstein, in the New York court.

The effect of the order is to stop a strategy of top Teamster attorneys to instigate lawsuits around the country to try to tie up the election process. Suits had been filed by International VP Dan Liguoritis and other Chicago locals, by Harold Friedman of Local 507 and by the New Jersey joint council. All those lawsuits are now history.

tended in court that Holland could only count the ballots, not make the rules that govern the delegate and general elections. That matter has been cleared up and the process is moving forward. Holland has stated that he will hold open hearings in several cities, where officers and members can comment on the proposed rules. This should provide input and a way to inform more members about the election process.

TDU has been involved in the process of shaping this election from day one, and plans to participate in all phases of rule-making. We welcome your input or suggestions.



Teamsters at the St. Louis TDU meeting Jan. 21 discussed the independent report on the Central States Pension Fund.

FREIGHT NEWS

Big R Drivers Say Volvo-Whites a Big Problem

Ask any Roadway Express driver about 320 Volvo-White cabs recently purchased by the company and he'll ask you where he can find a good physical therapist.

"It's like being in a truck with square wheels," Local 667 Roadway driver Ivon James told *Convoy Dispatch*. "After driving one, I feel like someone's beat me over the back."

Truck Safety

James is not the only driver to complain about the extremely rough ride of the Volvo-White cabs. TDU member and safety activist Archie Long of Local 745, Dallas, Texas, says the cabs have aggravated his kidneys so much that they are causing him to pass blood in his urine.

Another Roadway driver, known only by his handle, "Tarzan," complains regularly on the CB of the same reaction. According to one Atlanta steward, "Everyone here that's driven one has complained about the ride."

Drivers Explain the Problems

There are other problems. The tractor's tilted steering wheels and non-adjustable seats make it difficult if not impossible for larger men to squeeze themselves into the truck. According to James, "Any driver taller

than 6 feet or heavier than 200 pounds can't even fit into one." James, who is 6 feet 2 inches tall, could not get behind the wheel of one particular Volvo-White cab assigned to him. He waited 1.1 hours for a replacement, after which his supervisor informed him the company would not pay him for this delay time because "it's not our fault you can't fit into the truck."

"They're impossible to steer," said a committeeman from Cincinnati. "They've got hard spots in them. You'll hear somebody yell at you over the radio, 'What's the matter with you Big R, can't you hold it in your lane?'—and the answer is, no you can't!" Roadway says the steering mechanism has nylon bushings that will eventually break in.

The company is apparently reacting to pressure from drivers to do something about these rattletaps—but only to a limited extent. It recently posted a memo on its bulletin boards stating it would adjust the shocks and remove some air from the airbags, which are pumped too full.

Drivers, however, don't believe Roadway's actions will correct the problem. "They need to fix the airbags all right," James acknowledged. "Drivers are in the air more than they're in the seat."

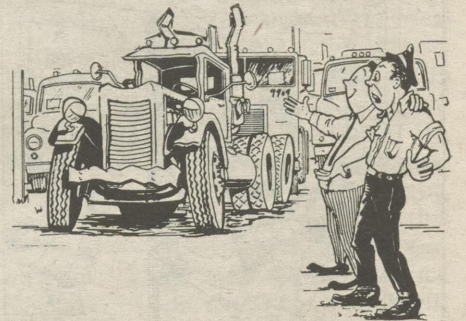
But that's not enough, explained

driver John Frith of Local 891 in Jackson, Miss. Frith said the source of the problem is the placement of the fifth wheel, which is too close to the cab and needs to be moved back about six inches to allow for a smoother ride. Frith added that in the Volvo-Whites he's driven, he can see the ground through holes where the steering shaft comes through the floor. "Fumes, dust and everything else come up and hit you through that hole," he complained.

But the Cincinnati committeeman believes Roadway knew exactly what it was doing when it ordered the Volvo-Whites. "The fifth wheel is placed to put more weight on the (tractor's) front axle," he said. "They're short, stubby, rough ridin' pieces of junk built to haul overloaded twin trailers."

Petition Campaign for Safety

All of the drivers interviewed for this story agreed they had no problem with 240 new Mack cabs purchased by Roadway at approximately the same time as the Volvo-Whites. One driver said at least 75 new Macks are waiting in the yard at Winston, N.C., and are slowly being serviced for release into operations. Speeding that process could free Volvo-Whites for necessary modifications.



"Trust me, I'd take my mother for a ride in it."

TDU is helping Roadway drivers organize to ensure that the Volvo-Whites are properly repaired. Drivers should call or write TDU for a petition that explains the problems with the tractors. The TDU Washington, D.C., office will submit the completed petitions to the National Highway Traffic Safety Administration (NHTSA) and demand a safety study.

TDU successfully used this approach several years ago to force the manufacturer of Jifflox dollies to stop production of that killer piece of equipment. We feel we can get results by applying that same strategy here.

Drivers should also contact TDU to describe health problems experienced as a result of driving the cabs, or with suggestions on what design modifications are needed to solve the problem.

PIE Teamsters Asked to 'Share the Pain'

One year ago, PIE executives Charles Rodgers and Harold Doyle proclaimed a new day at PIE through its new "Employee Relations Policy." They stated, "The foundation of the PIE Nationwide Employee Relations Policy is respect for the dignity of the individual. The implementation of the policy is based on the right of all employees to be treated fairly. ... Open communication, through an open door policy, is the policy of this company at all installations."

The new day of labor relations at PIE came to a screeching halt Dec. 5 when the company announced its

"Share the Pain" program, a so-called program in which PIE employees agreed to give the company a week's wages during a period of five weeks.

How the program worked was anything but voluntary. Employees who did not want to give up a week of wages were instructed to fill out a form stating, "I will not join with others in the 'Share the Pain' program. I insist that my paycheck be delivered to me at the same time as presently agreed to."

Harold Doyle, president of PIE Nationwide, sent a message to all terminals that instructed any employee wishing to get his regular paycheck to

talk to management first. Management was instructed to "attempt to convince the person who wants out that their participation is really needed." Several terminal managers used strong-arm tactics and threats in dealing with those who decided to live up to the contract.

Simply stated, PIE began the program to bring in nearly \$4.7 million in lost wages to the cash flow of the company. But the company didn't bother to bargain with our union. In the memo announcing the program, Rodgers and Doyle stated that the Central States Pension Fund was al-

lowing them to delay \$2.5 million of payments to the fund. The Central States Fund said it had not agreed to this and the union said it filed a national grievance against PIE on the wage holdback.

Don Landis, PIE steward in Local 773 at the Bath, Pa., terminal remarked on the program, "The company could have gone through the proper procedures if they were requesting relief but they chose instead to go ahead with the holdback and make the employees who wanted to uphold the contract jump through hoops. There was no advance discussion, no bargaining, no open-door policy. The bond of trust between senior management and the employees has been broken."

When can PIE employees who gave up a week of pay expect to be reimbursed? Rodgers and Doyle simply stated they will not make any commitments on the repayment. Do you think that's what they say to their creditors?

"It's discouraging to think that after the tremendous contributions PIE employees have made over the last five years that management still runs this company as if there is no union and as if they can just dictate new policy to the employees with no consultation or input," Landis said.

"It seems as though enough is never enough. Once you start down the path of concessions it's hard to stop."



Rank and File at ANR, Transcon Wonder:

What's Going on Behind Closed Doors?

Some nervous Teamsters are awaiting the details of the proposed sale of ANR to Transcon, and with good reason. The two carriers have struggled through the past five years with heavy losses, even after 15% pay cuts to employees. With the bankruptcy of American/Smith still fresh in people's minds, workers at the two companies are expecting the worst.

"People feel like they've been misused," said J.B. McCallister, an ANR driver out of Denver Local 961. "ANR made commitments to their employees. They promised to make every effort to stay in the business in return for wage concessions. Now, they're talking about getting rid of the company at what seems like any cost. We feel they've breached their commitment to us."

Transcon signed a letter of intent Dec. 7 to purchase ANR from Coastal Corporation. As we go to press, there has been no word on whether the deal has been approved by the boards of directors of both companies.

The consolidation of ANR and Transcon could lead to the closing of as many as 80 terminals and the dislocation of hundreds of workers. Questions about the proper application of seniority and the dovetailing of lists remain unanswered.

Transcon officials stated they don't expect an immediate turnaround in profitability for the combined carriers, but did state they expect to be in the black by late 1990. That would prove to be a miraculous rebound. For the first nine months of 1989, Transcon lost \$16 million and suffered a 6% loss in revenue compared to 1988. ANR lost \$9.2 million during the same period with a revenue decline of 3.8%. This is not the best way to start a marriage.

On the bright side, a merger of the two companies would create the fourth largest LTL carrier with a combined revenue of \$700 million and a customer base that could conceivably compete with the Big Three carriers. By consolidating terminals and adding

freight volume, Transcon officials believe they can reduce expenses enough to make the combined company profitable.

Threat to Jobs Underscores Need for Preferential Hiring List

The cost of the possible merger will be great to hundreds of Teamsters who most likely will lose their jobs due to downscaling of the two companies. With an expected loss of freight, Yellow, Roadway and CF are sure to take the opportunity to pick up more market share. That means more hiring at the Big Three and that the demand for a national preferential hiring list should be a top priority for Teamster negotiators in the next NMFA.

"This kind of wheeling and dealing

by big business has happened before, where the employees gave to help the company and the company turned their backs on them. Both Transcon and ANR promised input and cooperation with their employees, but they haven't even let us know what's going on with the proposed sale," McCallister said.

"We hope that this merger can work out, but at this point the morale of the workforce is at an all-time low. Neither company has respect for their employees. Coastal could have lived up to their promise and made an effort at protecting jobs. But, it's clear that the only thing that interests them is their profit margin and not the employees who make that profit possible."

Freight Lines

To Chain or Not to Chain.

Icy weather this winter has led to more than the usual confusion over policy on chaining tires. At Yellow Freight in Springfield, Mo., drivers have been ordered to chain up even when there is little ice. Once the drivers started to comply with this policy, management posted a notice telling them that if they put on chains when the ice was spotty and damaged the chains, they would be written up for abuse of company property.

A Different Kind of ESOP.

While ESOPs have been pretty much discredited for Teamsters in the trucking industry, management at CF has created an ESOP that will pay off nicely for themselves. The ESOP for CF management will hold \$150 million of newly issued preferred stock convertible into about four million shares of common stock that management employees will be able to dip into. CF management was quick to point out that their ESOP was not in lieu of salary or benefits.

Arrow Carrier Files for Bankruptcy.

Arrow Carrier and four related trucking companies operating in the Northeast closed Dec. 6 because they didn't have insurance. A federal district court judge ordered the closings at the request of the ICC.

The order applied to Arrow Carrier, Mazco System, Holmes Transportation, Tri State Transportation and Berman's Motor Express. Holmes, Tri State and Bermans were acquired by Arrow in July.

Arrow, which filed for bankruptcy soon after the order to close, is said to be negotiating with suppliers, lenders and Teamster officials to start operating again on a smaller scale. Prior to closure, Arrow's operations employed approximately 1,800 people, including Teamsters from at least 10 different local unions.

Bed & Breakfast at River Front Stadium.

A road driver's life is no bed of roses. So it was somewhat of a comfort to Roadway Express drivers on layover in Cincinnati that the La Quinta motel would provide transportation to convenience stores and area restaurants. But not anymore. At the request of Roadway management, La Quinta issued a memo to its staff stating that service should only be provided to and from the terminal, and to and from the Waffle House between 11 p.m. and 7 a.m. Linehaul Manager R.E. Smith said if the van started taking drivers to various places, the next thing you know the drivers would be taking their work calls at the Bengals and Reds games.

So What's New?

A study prepared for the American Automobile Association has found that lane and speed restrictions on trucks can create worse problems than they solve.

Forcing trucks to stay in right-hand lanes and operate at lower speed limits can cause rather than cure congestion and increase the possibility for accidents, researchers reported in the study. Apparently, no one thought to ask the drivers.

	ANR	TRANSCON
1988 Revenues	\$512.5 million	\$322.0 million
Operating Ratio	101.5	108.6
Tonnage (millions)	3.2	1.8
Average Length of Haul	563 miles	1,290 miles
Employees	6,500	4,179
Terminals	222	247
Tractors	3,000	1,724
Trailers	10,000	4,763

Let It Rest in Peace

CF Trashes Gain Sharing

After a year of propaganda meetings and nearly \$2 million spent in trying to sell the program, CF management has given up on gain sharing.

You can't say the company didn't try to implement it. But slick sales presentations and promises of a future of management-labor cooperation just didn't wash with Teamsters tired of seeing their work go to the rails, brokers and non-union subsidiaries.

While the union sat in silence giving the company a free hand to sell productivity levels to its members, TDU kept CF Teamsters in the know and organized activity against the program. Once again, it proves that an organized and educated membership will always prevail.

The gain-sharing program was officially put to rest in a Jan. 15 letter from Bob Lawrence, head of CF Motor Freight. Out of 20,000 surveys sent to CF employees, including management, only 30% responded.

A red-faced Lawrence wrote, "This indicates a lack of broad interest and enthusiasm. ... Without broad support and involvement from most employees, gain sharing could not be

very successful."

While gain sharing has been filed along with other great ideas like zeppelins, mood rings and pet rocks, CF managers are in the process of racking their brains for other schemes that will, in the words of Lawrence, "improve the quality of our service and the efficiency of our operations."

The latest management scheme is something called "Excel." Excel has been described as a process to involve employees in identifying and solving problems.

Details on Excel have yet to be revealed to CF Teamsters; however, Lawrence has indicated that the new program will address all subjects, including getting more support for new approaches such as gain sharing.

We'll report on the Excel program in future issues of *Convoy Dispatch*. In the meantime, we suggest that CF begin to try a new approach. It should live up to its contractual agreements and treat its employees as adults who can tell the difference between a scam and a true attempt at bringing dignity to the men and women who make millions of dollars for the company.

COMMERCIAL DRIVER'S LICENSE

Testing Schedule and Fees

STATE	TEST START	FEES
Alabama	Oct. 1990	\$ 5.00 basic test 45.00 A license 35.00 B license 15.00 C license 5.00 endorsement

Alaska	Jan. 1991	Not determined
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Arizona	Now Testing	\$25.00 application 25.00 base license
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Arkansas	April 1990	\$61.00 application 50.00 test
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California	Now Testing	\$55.00 combined test 25.00 written test only
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Colorado	Now Testing	\$15.00 license 40.00 test
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Connecticut	Now Testing	\$30.00 license
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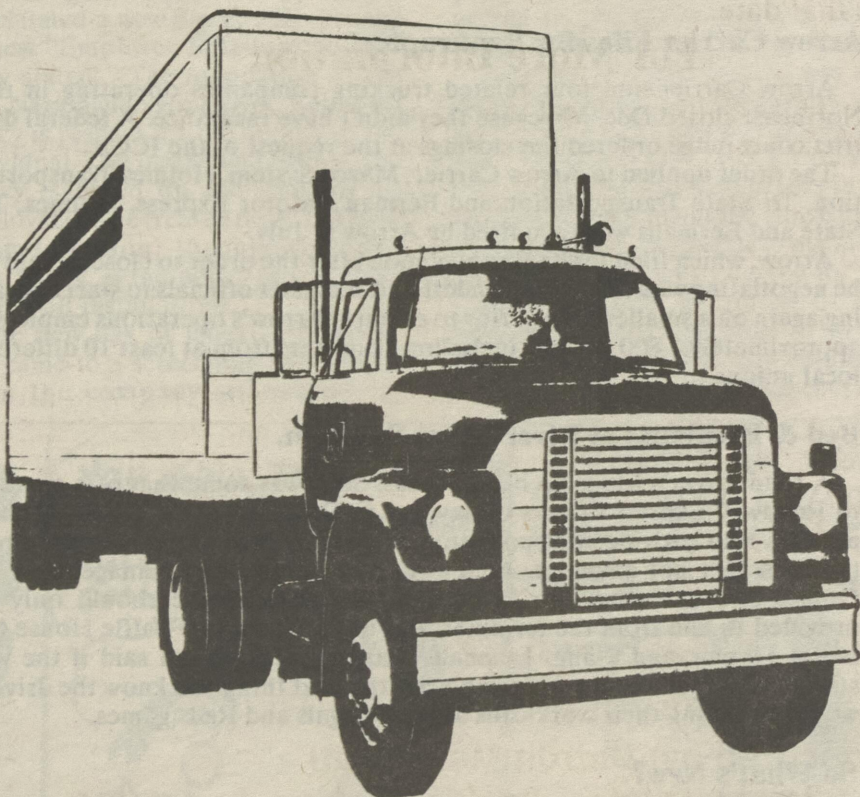
Delaware	April 1990	\$38.00 license 15.00 inspection
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Florida	April 1990	\$50.00 license 5.00 endorsment
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Georgia	Now Testing	\$35.00 application 15.00 written test 50.00 driving test
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Hawaii	Now Testing	Not available
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Idaho	Sept. 1990	\$23.50 application 3.00 endorsement 3.00 written test 35.00 driving test
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Illinois	April 1990	\$40.00
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Indiana	July 1990	\$ 25.00 written test 100.00 driving test (3rd party) 75.00 driving test (own vehicle) 5.00 endorsement
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Iowa	July 1990	Not determined
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Kansas	May 1990	\$12.00 base license 10.00 endorsement 20.00 test
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Kentucky	Jan. 1991	Not determined
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Louisiana	March 1990	\$40.00 base license 15.00 application 5.00 endorsement 30.00 driving test
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Maine	Now Testing	\$18.00 A&B license 10.00 endorsement 35.00 test
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Maryland	Now Testing	\$16-32.00 license 30.00 driving test
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Massachusetts	April 1991	Not determined
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Michigan	Now Testing	\$20.00 base license 5.00 endorsement 60.00 driving test
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Minnesota	Now Testing	\$34.00 A license 26.50 B license 19.00 C license 2.50 endorsement
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Mississippi	Now Testing	\$25.00 application 40.00 base license 5.00 endorsement
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Missouri	Feb. 1990	\$23.00 base license 5.00 endorsement 5.00 each test
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Montana	Now Testing	\$12.00 base license 6.00 intrastate 12.00 interstate
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Nebraska	Sept. 1990	\$20.00 base license 5.00 endorsement
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Nevada	Now Testing	\$85.00 license and tests 55.00 without driving test
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New Hampshire	Now Testing	\$40.00 base license 10.00 endorsement
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New Jersey	April 1990	\$17.50 license 12.00 endorsement 35.00 test
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New Mexico	July 1990	\$100-150.00 driving test
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New York	July 1990	\$34.00 license
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North Carolina	Sept. 1990	\$20.00 application 40.00 license 5.00 endorsement
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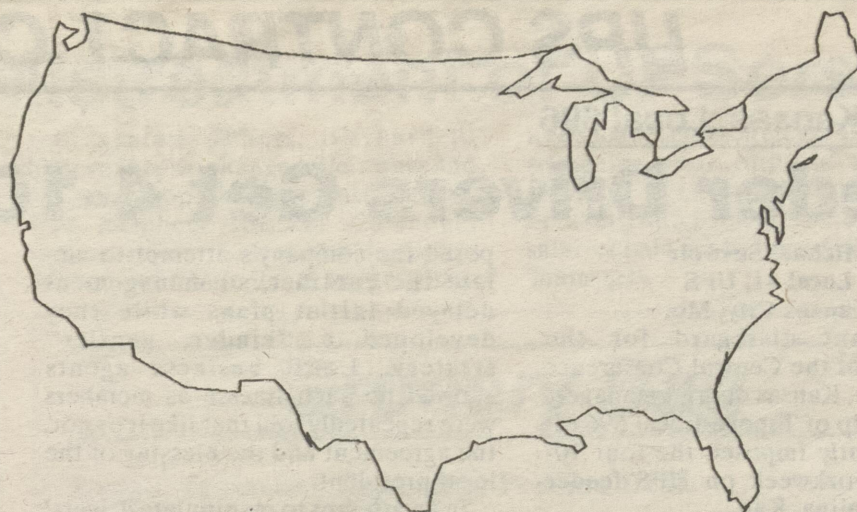
North Dakota	Now Testing	\$15.00 base license 3.00 endorsement 5.00 each test
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Ohio	Now Testing	\$25.00 license 50.00 driving test 10.00 temporary permit
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Oklahoma	Now Testing	\$26.00
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Testing Schedule and Fees (continued)

STATE	TEST START	FEES
Oregon	Now Testing	\$30.00 license 3.00 written test 56.00 driving test
Pennsylvania	March 1990	\$10.00 annual fee plus standard fee 5.00 permit each test
Rhode Island	Jan. 1991	\$100.00 license
South Carolina	July 1990	\$15.00 application 10.00 license 2.00 endorsement
South Dakota	Now Testing	\$25.00 combined tests 15.00 written test only 5.00 endorsement
Tennessee	Now Testing	\$ 6.00 application 32.00 A license 28.00 B&C license 2.00 endorsement
Texas	April 1990	\$40.00 license
Utah	Now Testing	\$30.00 written test 50.00 driving test 5.00 endorsement
Vermont	July 1990	\$110.00
Virginia	Now Testing	\$40.00 license
Washington	Now Testing	\$12.00 application 10.00 written test 50.00 driving test
Washington, D.C.	Sept. 1990	Not determined
West Virginia	Now Testing	\$50.00 application 25.00 written test 75.00 driving test 10.00 endorsement
Wisconsin	Now Testing	\$32.00 written test 20.00 driving test 5.00 endorsement
Wyoming	Now Testing	\$40.00 total



The Commercial Motor Vehicle Safety Act of 1986 requires each state to meet the same minimum standards for commercial driver licensing. The standards require commercial motor vehicle drivers to obtain a Commercial Driver's License (CDL) to operate any of the following commercial motor vehicles:

- A single vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds.
- A trailer with a GVWR of more than 10,000 pounds if the gross combination weight rating is more than 26,000 pounds.
- A vehicle designed to transport more than 15 persons (including the driver).
- Any size vehicle that requires hazardous materials placards.
- Your state may have additional definitions.

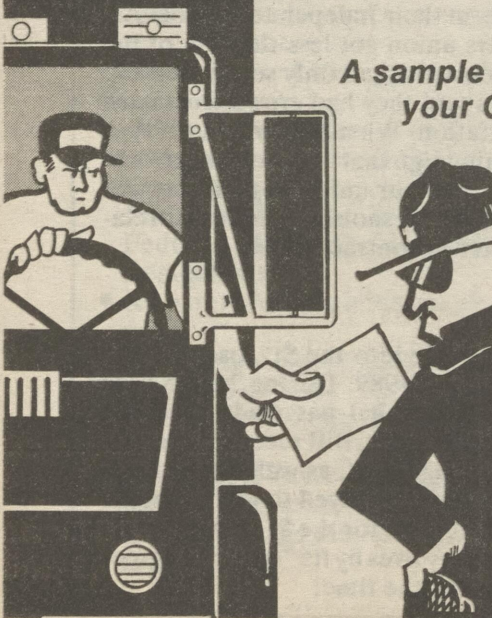
To obtain a CDL, you must pass one or more knowledge tests, depending on what class of license and what endorsements you need. If you pass the knowledge tests, you must take three skills tests in the type of vehicle you want to be licensed in: the pre-trip inspection test, basic control skills test, and road test. If you are an experienced commercial driver and have a safe driving record, your state may waive skills test requirements.

No one can drive a commercial motor vehicle after April 1, 1992, without a CDL; however, your state may require you to have a CDL before that date.

For More Information

Some TDU chapters, local unions and employers are organizing CDL workshops. Some junior colleges are developing short courses for drivers. For more information on CDL testing in your state, contact your Secretary of State's office. Most states are publishing their own CDL manuals that will help you study for the tests. A "Model Driver's Manual" is available through American Trucking Associations, 2200 Mill Road, Alexandria, Va. 22314-4677—1-800-ATA-LINE.

The following chart lists when states plan to begin conducting their CDL testing programs, and the fees that will be charged for tests and licenses. The list is subject to change.



New Booklet Available From TDU

Commercial Drivers License

A sample test to help you prepare for your Commercial Drivers License

This sample test consists of questions (and answers) taken from the actual test used in California. Tests are very similar in all states. Remember, even experienced drivers will need to study for this test. This booklet will help you prepare. Booklets are \$1 each, 50 cents each for 5 or more. Available from TDU, Box 10128, Detroit, Mich. 48210. Be sure to include full address with your order.

Commercial Driver's License Workshop in Detroit

Saturday, Feb. 10—10 a.m.

Sponsored by: Detroit Metro TDU

Certified Instructor: Jackie Jenkins, Local 891, Memphis, Tenn.

\$10 fee to cover cost of materials

If interested in attending, contact Detroit Metro TDU, P.O. Box 10128, Detroit, Mich. 48210 (313) 842-2600

UPS CONTRACT CAMPAIGN — 1990

Salina, Kansas, Local 696

Feeder Drivers Get 4-10 Week, Like It or Not

Michael Savvoir
Local 41, UPS
Kansas City, Mo.

In blatant disregard for the provisions of the Central Conference supplement, Kansas district managers with the help of Topeka Local 696 officials recently imposed the four 10-hour-day workweek on UPS feeder drivers in Salina, Kan.

As the contract explicitly defines the workweek as five eight-hour days, anything to the contrary is definitely in breach of that agreement. Any personal agreements by Bud Moore or his son, business agent Bill Moore, should be rendered null and void by Article 6, Section 1 of the agreement. Deals such as this, which undercut conference-wide conditions, do not inspire confidence in Bill Moore, who on Dec. 1 was appointed chairman of the Central Conference UPS trade division.

Efforts to impose this \$3,000- to \$6,000-per-year concession in wages and working conditions began in late September when management announced that four such jobs would begin Oct. 1. Drivers unanimously op-

posed the company's attempt to violate the contract, so management delayed initial plans while they developed a "kinder, gentler" strategy. Local business agents showed no such finesse as members were repeatedly told that like it or not, the agreement had the blessing of the local president.

In an attempt to manipulate drivers' sentiment, district management employed passive intimidation. At an ORC meeting drivers were promised a major hub, more jobs, and more personal time for family and fun. Management polled each individual's feelings on the four-10 workweek: as would be expected under those circumstances, very few spoke out.

Around Nov. 1, the four-10s were implemented on a peak-season-only basis. Local officers advised members that there were no alternatives and responded with anger and resentment to those who opposed the concessions. After peak season, Bill Moore legitimized this concession at a meeting where less than 50% of those affected were present. Following a lengthy debate, the general consensus

rested with allowing the larger group to participate in the democratic process. When a group of opposition drivers left the meeting, Moore called the vote.

While most drivers admired Moore's tenacity, all readily agreed that it should be used *for* rather than *against* the rank and file. Few would argue that Moore's recent appointment to conference chairman should have been to host "Let's Make a Deal."

In March when our union and the company swap proposals, watch for UPS to demand contract language to allow four-10s in the Central Conference, like in the Southern Conference. Toledo feeder drivers showed us how to deal with this last year when their solidarity scared off a vote on four-10s in their Local 20. Drivers in Topeka, Wichita, Kansas City and throughout the Central Conference should plan now to develop a strategy to protect our conditions.

Tampa Local 79

TDUers Uphold Distribution Rights

Distribution of *Convoy Dispatch* and contract bulletins informs UPS Teamsters about what's going on and helps to build the nationwide solidarity needed to assure a good contract. That kind of solidarity in 1987 led to a historic 53% rejection of a concessionary master agreement.

Such union activity is protected by federal labor law and TDUers are standing up to protect these important rights at a time when the stakes are higher than ever.

At the UPS Seminole Center, near Tampa, Fla., TDU members Doug Wright, Dana Beougher, Lou Woodward, Joe Volpe, Bill Taylor and Mark McCarty of Local 79 filed charges against UPS at the NLRB after the company fired Wright and issued warning letters to the others for distributing TDU literature in non-work areas during non-work time. After the group filed the charges, UPS attorneys rescinded the warning letters and acknowledged in a written settlement that the group retained distribution rights. Wright had previously been reinstated with back pay at a local hearing the day he was fired.

In Knoxville, Tenn., TDUer Rod Howard filed an NLRB charge protesting UPS's refusal to provide employees at a new center with a bulletin board. All of the employees at the new center had been transferred from a closed center at which they had always had a bulletin board. Although the NLRB initially deferred Howard's charge to the grievance procedure, TDU attorneys convinced the NLRB that Howard could not get a fair hear-

ing at the panel on this issue. The NLRB reconsidered its deferral and scheduled a hearing before an administrative law judge for late March.

Rights Under Labor Law

It is important for UPSers to be aware of their rights during this contract campaign. They derive from Section 7 of the National Labor Relations Act, which guarantees workers the right to "concerted activities for the purpose of collective bargaining or other mutual aid or protection."

You have the right to distribute TDU literature and other union-related materials in non-work areas during non-work time. This includes parking lots, break rooms, locker rooms and rest rooms. The UPS "No Solicitation Rule" does not affect these union-related rights, despite what management would have you believe.

During the 1987 contract negotiations, UPS conducted a pattern of harassment against Teamster employees who actively campaigned for a better contract. TDUers compiled the documentation to file national charges at the NLRB, which found merit in 23 charges in 20 cities. UPS quickly moved to settle the case and agreed to post notices to employees in the affected centers reaffirming the employees' legal rights.

We will protect our rights during the upcoming contract campaign. If anyone interferes with your rights, or if you suspect your rights may have been violated, contact a TDU office.

UPS & Downs

Not All Vacations Are Created Equal.

UPS Teamsters need all the time off we can get. About half of all UPSers—those in the Central, Southern and most of the Eastern conferences (except Locals 804 and 177) get shorted one week of vacation. In the Western Conference it takes three to seven years, depending on local, to get three weeks vacation a year, and 10 years to get four weeks (excluding Alaska and Hawaii). But others of us work 10 years to get three weeks, and 15 years to get four weeks. Thus anyone with about five to 15 years seniority, about half of all employees, get shorted one week. That should be corrected in this contract. New Mexico UPSers can never achieve five weeks of vacation, even after 20 years. Another inequity to correct.

All this brings up a general point: let's get the best standards applied to all of us, we all work hard and make the corporation a healthy profit. A good example: if Northern Cal UPSers get 25 paid days off a year (holidays, sick leave and extra week, in addition to vacation) and Southern Cal UPSers get 24, why do Teamsters in the Central Conference and Locals 705 and 710 get only 15 and those in the Southern Conference only 14?

UPS Goes to Bond Market to Finance Expansion.

In a move that could be related to rapid overseas expansion, UPS announced Dec. 11 that for the first time it would raise money for working capital and investments in its operations by going to the public debt market. The company will issue \$500 million in 30-year bonds, which will be managed by independent financial corporations. UPS plans to spend \$1.4 billion in 1990 for buildings, equipment, aircraft and international acquisitions. Standard & Poor's issued a AAA rating on the deal and said, "Despite increased annual interest expense, S&P anticipates that UPS's continued penetration of the higher-margin air express business and international package markets, combined with a leveling off of capital expenditures in the \$1 billion to \$1.2 billion range, should produce robust earnings coverage." S&P said cash flow is expected to stay very strong—about two times UPS's total debt and about equal to annual capital expenditures.

Pilots Leave Teamsters to Form Own Union.

Some 936 UPS pilots left our union to form their Independent Pilots Association after a Jan. 4 vote. The Teamsters union got less than 1% of the vote as 757 voted for the independent association and only seven voted to stay Teamsters. A spokesman for the pilots said they had grown frustrated with their Teamster contract and representation. When 99% of a unit vote to leave our union, it is a pretty strong warning sign that officers are seriously out of touch with the rank and file. We hope our union negotiators will heed this as bargaining opens for our contract. We should try to repair relations with the pilots' union to work together at contract time.

What a Difference a Day Makes.

Delivery driver Bill Hughes pulled his vehicle into the St. Joseph, Mo., terminal for the last time Thursday, Nov. 30, 1989. During his 25-year career at UPS, Bill had epitomized the service that has made UPS the tremendous success that it is. At his retirement party, Bill received the customary accolades from local and district management, as well as the business and rural community. But he was somewhat dismayed to learn that his 25-year service was 24 hours too short to be eligible for the \$1,000 full-time bonus paid Dec. 1, 1989. Sorry Bill, the company lives by its "contract agreements." Well, most of the time. ... OK, some of the time!

UPSers 'Were Treated as Kids' in Atlanta

Local 928 Officials Admit Mistreatment of UPSers

In yet another move to stonewall new elections, Lamar Mathis, the appointed trustee of Atlanta Local 928, is now claiming UPSers never received proper representation as members of Local 728, the very local he and his father, Weldon, ran for years.

In an affidavit to the U.S. District Court in Atlanta, Lamar Mathis stated that he had heard continuing requests well before the disputed 1987 election from UPS members who wanted a separate local. Neither Weldon nor Lamar Mathis took any action on providing UPSers with better representation.

After it became clear that the Mathises had been caught stuffing ballot boxes, they suddenly became concerned with the more than 3,000 UPS members in Local 728. Weldon Mathis resigned his position as president of Local 728 and approved the charter for the new Local 928.

Through several affidavits given to the court by Local 928 officials, it's become clear that UPSers were very dissatisfied with Weldon's and Lamar's representation. Willie Baker, current Local 928 business agent and former BA for 728 said, "Since 1975, I've discussed with fellow UPS employees the

need for a separate craft local. UPS members felt left out of union meetings." But Baker failed to mention that he and the Mathises conducted those meetings.

UPS shop steward Willie Wilson was also critical of how the Mathises ran Local 728. "The employees wanted their own craft union so they could get better representation," Wilson said in his affidavit. He went on to state that while Lamar and Weldon Mathis were running Local 728, "UPS employees felt their concerns were never discussed."

Business agent Oliver Partain, who also had been part of the Local 728 regime, admitted that the local he and the Mathises were running was not representing UPS members. He stated, "In membership meetings we (UPS members) were treated as kids."

In a combined vote conducted last year, the majority of the members of Local 928 and 728 voted for unity and solidarity by agreeing that freight and UPS members should stand together as Teamsters. Weldon and Lamar Mathis disagreed then and still feel that Teamsters should remain separated from each other.

Now that former officials from 728 have admitted that they never truly

represented UPSers, it's hard to believe they've changed their ways and are now properly representing them. UPS members in Local 928 should remember how Lamar Mathis, Oliver Partain and Willie Baker treated them

like second-class citizens. They should recognize these officials' new-found "loyalty" to UPSers for what it really is: a last-ditch effort to hold on to salaries paid for by hard-working UPS Teamsters.

Grocery Bag

Kroger Teamsters Reject Bad Pension Deal.

Kroger Teamsters nationally have rejected a proposal that would have kept them at a second-class pension rate for years to come. The proposal, which was recommended by union negotiators, was rejected in a mail ballot by Kroger Teamsters voting in the Central, Southern and Eastern conferences. Several stewards and a few BAs had recommended against the deal, and TDU had issued a bulletin warning Kroger Teamsters about the consequences of accepting the pension language.

The deal would have locked Kroger Teamsters into a very substandard pension rate, finally getting to a \$69-per-week employer contribution in October 1992. By then other Teamsters will be at much higher rates. The agreement also did nothing to protect jobs. It states that if Kroger transfers work, the corporation will "discuss" the issue with the union but "such discussions will in no way reduce the Employer's right to implement such decisions."

Nearly a month after the rejection, no word has come down on what IBT officials intend to do, so the local unions and Kroger members are left wondering if they may try to ram it through again.

Kroger Teamsters from several divisions also recently filed a class-action lawsuit in federal court in Chicago, charging that the Central States Pension Fund has deprived them of a chance to get 30-and-out and other benefits. TDU attorney Amy Louise Beckett, who is handling the litigation, reported to St. Louis Teamsters in January that she was optimistic about the chance to win the suit.

Nor-Cal Teamsters Finally Get Their Contract.

Rank and filers at the Lucky distribution center in Vacaville, Calif., have finally received copies of their 1988-92 contract. The agreement was ratified Oct. 23, 1988. After many months of stalling by union and company officials, TDUer Steve MacDonald started a petition drive and ended up with more than 400 signatures from other rank and filers directing the union and the company to produce copies of the contract. Their hard work paid off. They received copies in December. The members of Local 490 had spent two weeks on strike in October 1988 and most of them knew little about the agreement they ratified except what was read to them before they voted to go back to work. If you need information on your right to have a copy of your contract or if you'd like a copy of the petition they used in Local 490, call the TDU national office.

Industry Studies Cite Labor Shortages.

According to a poll of industry executives, a "lack of sufficient and competent labor" is the major issue of the 1990s. It is already a serious problem for stores in the East, according to the *Supermarket News* poll, but executives in other parts of the country also see it coming. The president of a chain in Texas was quoted as saying, "There are fewer people to fill the jobs. The money offered by fast food chains is higher than the minimum wage ... we are all vying for the same individuals." Another executive said there is a shortage of people "committed" to the grocery business, and that the "industry requires more than a nine-to-five job." Other companies are looking at hiring more senior citizens and handicapped workers to overcome the labor shortage. One brilliant executive from K-VA-T stores in Virginia said, "... we have found senior citizens to be fine employees ... but you do have to treat them differently from teenagers."

A study by the National-American Wholesale Grocers' Association found that there is a shortage of drivers and it's predicted to get worse. Half of the respondents in the study said they had experienced problems due to a shortage of drivers, and 21% of those said the problem was severe or critical. Some of the reasons cited for losing experienced drivers were the commercial drivers license test (CDL), drug testing, and employee dissatisfaction due to old, unreliable trucks.

No solutions were given such as raising wages and benefits, treating workers with respect, or eliminating outrageous production standards. These can only be forced on employers through strong, democratic unions. The labor shortages may put grocery-industry Teamsters in a better bargaining position this decade, if we organize to take advantage of our skills.

Teamster-UPS Drug Testing

Our union and UPS have reached an agreement on drug testing, pursuant to Article 20, Section 3 of the master agreement. This agreement is the result of government-mandated drug-testing programs.

Employees Covered

- Drivers in the feeder classification will be subject to periodic, reasonable cause, and reasonable cause post-accident testing.
- Current employees applying for feeder classification will be subject to pre-employment testing.
- Drivers on the feeder bid list who work in that classification 90 days or more a year will be subject to testing like other feeder drivers.

Consult the Stewards Corner in this *Convoy Dispatch* (page 13) for details on drug testing and how to protect your legal and contractual rights. But there also are a few specifics in the UPS agreement to keep in mind.

When post-accident testing will be required is broadly defined:

- Where there is a reportable accident as defined at 394.3 of the Federal Motor Carrier Safety Regulations.
- Reasonable suspicion of drug use.
- Reasonable cause to believe a driver has been operating a vehicle while under the influence of drugs.
- Reasonable cause to believe the driver was at fault in the accident and drug usage may have been a factor.

Know Your Rights

Reasonable cause is defined as: "A driver's observable action, appearance, or conduct indicating drug use. This conduct must be witnessed, if possible, by at least two supervisors who have received appropriate training. The observations must be reduced to writing within 24 hours or before the test results are released, whichever is earlier."

Testing procedures will follow HHS guidelines. A medical review officer, after employee interviews, must determine whether a positive test was the result of illegal drug use. If you test positive, you have the right to a retest.

If you test positive during a DOT periodic physical, there will be a one-time opportunity for treatment and rehabilitation. If you test positive as a result of a reasonable cause test, "discipline, if any, will only be given as permitted by the discipline article of the appropriate supplemental agreement." While rehab should always be sought by our union, be aware that a positive reasonable-cause test could lead to immediate discharge.

You have the right to union representation in any interrogation by management that could lead to discipline, including questioning that could lead to reasonable cause. But it's up to you to demand it!

For a copy of the Teamsters-UPS drug-testing agreement or for more information, contact your local union or the TDU national office.

Report on IBT Financial Investments

Face Facts on So-Called 'Employer Funding'

In recent years a number of Teamster officials have used the "Big Lie" tactic of charging that TDU receives funding from employers. You may have heard it or seen the smear sheets. It tends to come up especially when someone has just signed a sweetheart agreement or is facing a contested election. Out of desperation they print a sheet reporting that TDU got a grant from a charitable foundation and this foundation owns shares of stock in some company, and therefore this means that the company backs TDU!

TDU makes no bones about where we get our money—it comes from concerned Teamsters. We don't have a dues check-off system. Our members pay annual dues and contributions voluntarily. We also get funds from charitable foundations—the largest of them related to churches—that support labor and democratic unionism. None of them are related to any cor-

poration or any anti-labor stand. Such foundations have an endowment that has been left to them, and they invest it and distribute the proceeds to grassroots organizations that apply and qualify.

If you have a lot of money, it makes more sense to invest it than to put it in your mattress. And of course, our International union has lots of money. So we decided to see where it is invested. When the IBT refused two TDU members' reasonable request for this information (their right under federal labor law), they filed suit and forced the IBT to turn over the facts.

A summary of the IBT investment portfolio for the quarter ending Dec. 31, 1988, is published here (see chart). Keep in mind this is only for the International union and not for any of our affiliated pension or health & welfare funds. The specific holdings reflect a who's who of corporate America. Almost all of the stock holdings are

through a single mutual fund, the DFA Inflation Hedge Fund. The IBT owns the bonds of, to name just a few: Bethlehem Steel, Citicorp, DuPont, Johns-Manville, Standard Oil of Ohio, Union Carbide, General Electric, Exxon, GMAC, K-Mart, Merrill Lynch, American Express Credit, Mc-

and dealing they did with our pension money.

It is foolish to say that the corporations you invest in control you—and the International union knows it! Yet officials make these desperate accusations about TDU and we own no stocks or bonds.

If you have a lot of money, it makes more sense to invest it than to put it in your mattress. And of course, our International union has lots of money. ... Do some of these companies employ Teamsters? You bet! Is TDU saying the IBT should not invest in these companies? Absolutely not.

Donnell Douglas, Southern Bell, Knight-Ridder, J.P. Morgan, Gannett, Illinois Bell, Michigan Bell and Hospital Corp. of America.

Do some of these companies employ Teamsters? You bet! Is TDU saying the IBT should not invest in these companies? Absolutely not. When you have more than \$140 million, investing it makes good sense, and these investments make a lot more sense than some of the wheeling

They use the Big Lie as a smokescreen. If you say it often enough, some people will believe it.

So next time you hear officials scream about corporate money and employer funding, don't be fooled. Think about the contract they want you to vote for, or the upcoming election in your local. Think about the issues that affect you and about who makes the most sense when they talk about those things.

IBT Investment Summary

as of Dec. 31, 1988

GENERAL FUND (In millions of dollars)

U.S. Government and Federal Agency Obligations	\$7.14	15.0%
Short Term Cash Investments	4.05	8.6
Commercial Paper (short-term corporate investments)	5.76	12.1
Foreign (corporate and government) Bonds and Notes	5.54	11.7
U.S. Corporate Bonds and Notes	19.49	41.1
Stocks	5.47	11.5
Total	\$47.45	100%

DEFENSE FUND (In millions of dollars)

U.S. Government and Federal Agency Obligations	\$23.46	25.2%
Repurchase Agreements	1.25	1.3
Commercial Paper	5.37	5.8
Money Market Funds	1.99	2.2
U.S. Corporate Bonds and Notes	34.47	37.0
Foreign (corporate and government) Bonds and Notes	3.68	4.0
Insurance Company Investment Contracts	14.19	15.3
Stocks	8.58	9.2
Total	\$92.99	100%

Chicagoland Teamsters Focus on Delegates

Rank and file Teamsters met in Chicago in early January to build the TDU chapter and focus on a delegate strategy for the fall.

Guest speaker Pete Camarata from Detroit Local 299 spoke about the coming 1991 IBT Convention and the Right to Vote on delegates and International officers. Members discussed how the process will work and the necessity of education and planning to make the most of the opportunity in the Chicago area, as well as nationwide.

Many Teamsters at the meeting who were new to TDU and the new voting rights in our union were excited to see activity and direction in the Chicago

area, and some of these members joined a newly formed chapter steering committee.

The steering committee is planning a general membership meeting for February 18, which will focus on general problems and concerns such as the grievance procedure, better representation and job security.

The steering committee is currently discussing future educational workshops, including a Commercial Drivers License (CDL) workshop and a seminar on running for convention delegate.

If you'd like more information about what's going on in the Chicago area and how you can help, call TDU.

Local 773, Easton Housing Authority

Contract Negotiations Are Lesson in Unionism

Bob Vitko, Local 773
Easton Housing Authority
Easton, Pa.

I attended a TDU meeting Nov. 19 at the UAW hall in Allentown. I was impressed with the opportunity to address about 50 unionists who took time out of their Sunday to discuss the directions of the labor movement and what we need to do to make our leaders more responsive to the rank and file.

As a steward with the Easton Housing Authority, I had been trying for several months to prepare proposals for our contract, which expired in December. I couldn't get our BA and president of Local 773, Al Abruzzi, to meet with the members prior to going into contract negotiations.

Negotiations began Nov. 15 between our union committee of Abruzzi, my assistant steward and myself, and the executive director of the housing authority. I presented the proposals that I had discussed with our members concerning job security, advancements from within and other items. Abruzzi brought some proposals of his own which, in my opinion, were concessionary by allowing outside, non-union competition to compete for housing authority work.

The executive director chose to dictate his proposals to Abruzzi, who dutifully wrote them down. One example of management's proposals was the immediate discharge of anyone speaking to the press concerning housing authority business.

I was leary of Abruzzi's negotiating style from the beginning because of an

incident in which he altered our last contract after it was ratified. He explained the wording was changed to benefit everyone. The change was in the clause stating the employer could discharge an employee for three reprimands on the same offense. The words "for the same offense" were deleted. I didn't understand how this could benefit anyone but the employer.

Public Employees

How can things like this happen? Apparently, a lot of people aren't aware of the union's function. This leaves us all vulnerable. We've got to understand our contracts and know our rights to be able to fight power with power.

We should pay our union dues the same way we pay our bills at home. For example, the cable company promises us voice and picture. If we don't get reception, we call and complain. We should do the same with our union dues. The union promises representation, if we don't get it, we should be willing to take the necessary steps to correct the problem.

Teamsters should take a closer look at TDU and then decide for yourselves if you think responsible representation is worth a little effort. A national rank and file organization is in place. All we need to make it work are people who want to make a difference. I can say with all honesty that I would have become involved in TDU sooner if I had been aware of what it was all about.

STEWARD'S CORNER—DRUG TESTING

As the debate continues in our society on how to combat the spread of drugs, Teamsters who work in transportation industries must directly face the consequences of drug testing. Stewards, and indeed all members, must be acquainted with the law, testing procedures and how to protect what rights we have left. While this Steward's Corner particularly addresses drug testing in the transportation industries, the standards and safeguards described may be applied to other workplaces and contracts.

How Did It Get to This Point?

Drug testing has been part of some Teamster contracts for several years. But two Supreme Court decisions in the 1980s helped clear the way for

periodic, reasonable cause, post-accident and random testing. As mentioned earlier, FHWA-mandated post-accident and random testing are blocked by the federal courts.

Pre-employment: In addition to job applicants, Teamsters on the seniority list who want to transfer to a job that's subject to testing may also be required to take a pre-employment drug test.

Periodic: This is required as part of the DOT biennial medical exam. Drivers will be advised at least seven days in advance of the test date.

Reasonable Cause: The FHWA refers to Federal Aviation Administration (FAA) rules, which define reasonable cause: "A violation of federal, state or local law that could reasonably lead to or did result in

during regular periods.

Insist on Proper Procedures

The drugs included for testing are marijuana, cocaine, opiates, phenylcyclidine (PCP) and amphetamines. The procedures for testing must strictly follow the HHS guidelines, which include specific chain-of-custody procedures and require that testing shall only be performed at National Institute of Drug Abuse (NIDA) certified laboratories.

If you are to be tested, you will be sent to a hospital, clinic or other approved "collection site." A form shall be made available on which to record any prescription or over-the-counter drugs you may be legally taking. Insist that you be given the form and fill it out carefully. This is to protect yourself against false-positive readings these drugs may cause.

You have the right to a copy of the specimen collection procedures. Insist on it and be sure the procedures are carefully followed. Check for the following:

1. You have the right to provide your specimen in the privacy of a stall or otherwise partitioned area.
2. Make sure your specimen container is the same one sent for testing. The specimen must remain in your full view at all times, from the time you provide it until it is properly sealed, labeled and packaged for shipping.
3. Make sure the specimen is sealed and labeled, then initial it. Don't let it leave your sight. Make sure the collection site person enters all information identifying your specimen into "the permanent record book." You will be asked to sign a statement in this book certifying that the specimen is yours.
4. Make sure the collection site person completes the chain-of-custody form. The specimen will then be placed and sealed in a transportation container and the custody form attached. Make sure the container is properly sealed and initialed.
5. Ask to which lab the specimen is being shipped and, if possible, make sure it's sent immediately. Check to see by what means the specimen is being shipped and ask for a copy of the shipping bill.

What Are the Testing Procedures?

Documentation of the chain of custody of your specimen continues at the lab. The initial screening test shall use an immunoassay that meets the requirements of the FDA with initial cutoff levels set as follows to determine whether the specimen is negative: marijuana metabolites, 100 ng/ml; cocaine metabolites, 300 ng/ml; opiate metabolites, 300 ng/ml; phenylcyclidine, 25 ng/ml; amphetamines, 1,000 ng/ml.

All specimens identified as positive shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques by quantitative analysis with cutoff values as follows: marijuana metabolite, 15 ng/ml; cocaine metabolite, 150 ng/ml; opiates, 300 ng/ml; phenylcyclidine, 25 ng/ml; amphetamines, 500 ng/ml.

The lab report will identify the drugs/metabolites tested for, whether positive or negative, the cutoff for each, and the specimen number. The lab shall report as negative all specimens negative on the initial test or negative on the confirmatory test. Only specimens confirmed positive shall be reported as positive for a specific drug. Positive specimens shall be stored for one year.

A medical review officer (MRO) shall be designated who is a licensed physician with knowledge of substance abuse disorders and appropriate medical training to interpret positive test results and medical histories. The MRO shall receive the drug-test results and certify a positive test. If you test positive, you have a right to an interview with the MRO to explain the circumstances. Where appropriate, the MRO may request the lab to retest the original urine sample.

How Else May I Protect Myself?

Discipline is a mandatory subject of bargaining between our union and the employer. Our unions should negotiate language that provides a rehabilitation program, not discharge, for those with substance abuse problems. For example, the language covering Teamster carhousers is far better than what exists in many other Teamster contracts. Consult your contract or BA for details on disciplinary procedures. Keep in mind:

- If you fail a drug test, you have the right to request a retest. The request should be made in writing within the prescribed time limits. Under the UPS contract, for example, this must be done within 72 hours.

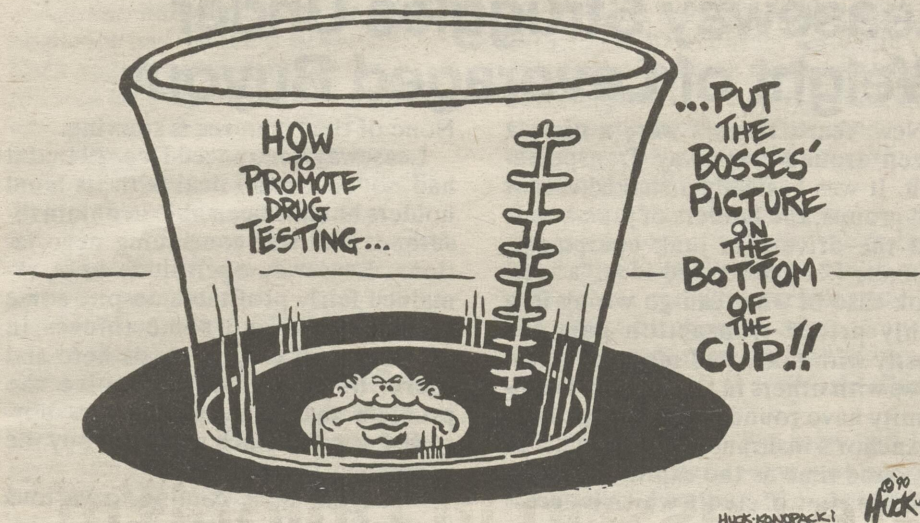
You may request that your retest be conducted at another NIDA-certified lab. You may be required to advance all costs associated with the retest, but if you retest negative, the employer shall reimburse those costs to you.

- Read any forms that you are asked to sign. If they contain waivers of rights to further legal action, cross that out and clearly state that by signing you are not waiving your rights to any further action against the hospital/clinic, laboratory or the employer.

• If you are told you must take a drug test because of reasonable cause, or some other reason, it is up to you to demand your right to union representation. Ask your supervisor specifically why you are being tested. Take notes and record everything the supervisor says. Reasonable cause cannot be based on third-party reports, so nail your supervisor down. Don't give the employer the chance to change the story in a grievance hearing.

• You have a right to a copy of the results of your drug test. The results are confidential and may not be released to a third party unless you sign a specific authorization for release to an identified person.

For more information about drug testing, contact your local union or Teamsters for a Democratic Union (TDU), P.O. Box 10128, Detroit, Mich. 48210 (313) 842-2600.



government-mandated testing: *NTEU vs. Von Raab* and *Skinner vs. Railway Labor Executives Assn.* In these cases, the majority on the court took a radical departure in American law, ruling that the "special needs" of public safety and national security outweigh the traditional analysis in Fourth Amendment cases requiring probable cause and a search warrant.

Unions and an independent truck drivers association filed suit against the DOT's Federal Highway Administration (FHWA) regulations on random and post-accident testing and won an injunction on these tests in federal court. A contract may call for random and post-accident testing, but as of this writing such testing may not be imposed by the FHWA.

What Are the Guidelines?

DOT drug-testing procedures for motor carrier and other industries follow the "Mandatory Guidelines for Federal Workplace Drug Testing Programs" of the Department of Health and Human Services. These "HHS guidelines" include procedures for collecting urine samples, transmitting them to testing laboratories, testing procedures, evaluating results, quality control, recordkeeping, and certifying labs.

Types of Drug Tests

As of Dec. 21, 1989, employers in "safety sensitive" industries, like transportation, must implement an anti-drug program that includes five types of drug testing. The FHWA guidelines call for pre-employment,

serious personal injury or death," and: "a belief that an individual is using or is under the influence of controlled substances while on duty. Changes in character or behavior may evidence the use of controlled substances. These changes are often characterized by mood swings and changes in appearance, attitude, speech and work habits."

Some Teamster contracts further define how supervisors are to determine reasonable cause. The Master Freight and UPS contracts state that supervisors' observations must be reduced to writing within 24 hours or before the test results are received, whichever is earlier.

Post Accident: Under what circumstances should an employee expect to be tested for drugs after an accident? For FHWA-covered employees, when there is a reportable accident, as defined at 394.3 of the Federal Motor Carrier Safety Regulations. Contracts may stipulate additional conditions, and an employer could try to use reasonable cause to demand a post-accident test.

Random: Touted as the primary method of deterrence because no prior notice is given, selection is usually done by using a random number table or computer-based random number table. The randomly selected numbers are matched against social security or payroll account numbers to determine which employees shall be tested. Your number stays in the employee drug-testing pool even after you've been tested. Tests shall be evenly distributed throughout the year

CARHAUL

Florida Convoy Drivers Gain Some Money and Time

In January the contract expired between Norm Collins' Col-Trans and his Florida Convoy owner-operators in Nashville, Chicago and Detroit. He asked them to continue the old concessions forced on them after a hard strike in 1988. Then they had received

After more negotiations Collins agreed to some modest but real gains in exchange for an extension until October. Their flat mileage rate for driver and tractor will go up 5 cents, with front and back hauls equalized. The basic mileage guarantee will be 95

A committee of two union representatives from each of the seven carhaul carriers in Local 327 had been meeting to ensure the most unity and support for Florida Convoy if a strike were necessary.

the runaround from International VP Walter Shea and pro-concessions tirades from Southern Conference Carhaul Chairman Jerry Cook.

Collins got only three votes in Nashville for extending the existing contract. A committee of two union representatives from each of the seven carhaul carriers in Local 327 had been meeting to ensure the most unity and support for Florida Convoy if a strike were necessary.

cents for total miles. The proposal passed with some other small extras.

Collins claimed he'll have a clearer picture by summer and will begin negotiating then on the terms of a new deal. It does not appear that the present contract is attached as a rider to the Master Contract. This reduces the power and responsibility of our International union over this situation. It also reduces protection for these union members.

AFL-CIO Sanctions IBT for Raid

In the December *International Teamster* magazine, William McCarthy notes in his column that the Teamsters recently won the right to represent 1,200 workers at the T.J. Maxx warehouse in Evansville, Indiana. Unfortunately, the AFL-CIO shortly thereafter held a hearing and sanctioned our union for raiding the International Ladies Garment Workers Union (ILGWU) in Evansville. The two unions had gone to an AFL-CIO umpire prior to the opening of the warehouse and juris-

diction was awarded to the ILGWU. Under Article 20 of the AFL-CIO Constitution, both unions had agreed to abide by this decision. The Teamsters union did not, and thus the sanctions. The sanctions essentially mean that the IBT loses its no-raiding protection from other AFL-CIO affiliates.

A clear lesson of the 1980s is that unions must stand together in solidarity and avoid costly raiding battles. Otherwise corporate union busters will pick us off one by one.

This contract was messed up despite the valiant efforts of the members and the Nashville local. It won't be put back together overnight. But the clear and unanimous objective of this union must be one carhaul contract covering all carriers and the raising of all to the highest conditions. Making steady progress toward this goal is more important than the time it takes to get there. Collins should never have been split from our Master Contract.

For the next round of negotiations this means any agreement must be part of the Master Contract and must expire along with that contract in

1991.

Collins' employees have shown they will fight and sacrifice to uphold the contract.

They deserve our support to reach that goal.

Collins' company-driver operation, VMT, signed a contract in December 1988 paying 26 cents to 31 cents per mile. The same negotiating conditions will have to apply there.



Leaseway Struggles Under Weight of Leveraged Buyout

New Year's rumors were a dime a dozen around Leaseway Transportation. It was basically a shakedown of two groups, the holders of junk bonds and the drivers of junk equipment. *Business Week* described it as "a textbook case of what can go wrong in a richly priced transaction paid for mostly with borrowed money." Interviews with others in the financial community have rounded out the picture.

Anchor's insurance was up Jan. 1 at the same time as the expiration of its revolving line of credit, which is necessary to obtain new insurance. Leaseway was trying to get a break from its junk bond holders, with the alternatives of bankruptcy or of taking stock with reduced value to lower Leaseway's debt and interest payments. If Leaseway were to reorganize under bankruptcy, the bond holders would be last in line for repayment.

So it's a game of corporate chicken. We've got six or seven thieves fighting over four or five chickens. They are wondering whether to bet the chickens will lay more eggs or to eat them now in their present scrawny state.

None of these thieves is starving.

Leaseway announced Dec. 29 that it had not reached a deal with its bond holders but had been able to obtain insurance and was continuing negotiations. Leaseway operations have remained fairly profitable despite some incompetents and some thieves in management. Cutting deals here and there, however, will not solve the problem that some speculators borrowed way too much money to buy the company.

Management is coming to various terminals with threats and concessions. Just as NuCar "underbid" Anchor in Selkirk, now Leaseway has various divisions bidding against each other. Management has an overall approach to these deals, but locals are responding one by one. We can expect more of this as auto sales slow and the 1991 contract approaches.

All deals first should be presented to a meeting of all Leaseway stewards. If approved they should then go to the appropriate committee as provided in the contract, and then to a vote of the members affected.

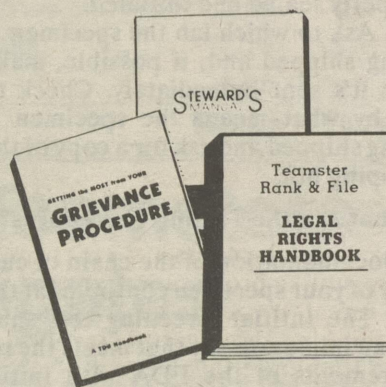
Know your rights — and how to use them

Educational Books From TDU

Teamster Rank & File Legal Rights Handbook. This comprehensive 312-page book, written by experienced labor attorney Ellis Boal, covers your rights at work and in the union, detailing the laws in easy-to-read language. \$8, \$5 each for five or more.

Getting the Most from the Grievance Procedure. Strategies for preparing, presenting and organizing around grievances. \$1.

Steward's Manual. A valuable guide with special emphasis on building unity at the workplace and in the union. \$4, \$3 each for five or more.



Item	Price	# of Copies	Total
Teamster Rank & File			
Legal Rights Handbook	\$8/\$5 each for 5 or more		
Getting the Most from			
Your Grievance Procedure	\$1		
Steward's Manual	\$4/\$3 each for 5 or more		
		Total	

☐ Check or money order

☐ Visa/Mastercard # _____

Exp. date ____/____/____ Signature _____

Return to TDU, Box 10128, Detroit, Mich., 48210
Be sure to include name and full address

Carhaul News

Nashville Local 327 Seeks Stewards Communication.

The Local 327 Carhaul Committee will be distributing its minutes to other interested stewards. We urge stewards to get on their list by writing to Carhaul Committee, Teamsters Local 327, 1006 Russell St., Nashville, Tenn. 37206.

Watch New Ryder Purchase Agreement.

Ryder is proposing that drivers in Northern California and in New Jersey purchase trucks at an inflated price through yet another Ryder subsidiary. The new purchase agreement includes clauses in dramatic conflict with the union contract and should be considered very carefully before signing.

CCC Contract Bulletin.

The Carhauls Coordinating Committee of TDU will be publishing a contract bulletin on the state of the industry and would like reports of the name, size, traffic and union (if any) of any non-Teamster carriers in your area.

LETTERS FROM OUR MEMBERS

Central States 'Work-Till-You-Die'

I was a road driver for over 25 years with Express Freight at the time they supposedly went bankrupt in June 1989. After the company closed, there was a meeting held by representatives of the Central States Pension Fund to explain the benefits we were eligible for. I was amazed to learn that I could not qualify for the 25-and-out program because I was not yet 57 years old.

This is nothing but a joke and a ripoff. The way the Central States Fund is set up sure looks like a "work-till-you-die program." It's a very sad situation.

Age shouldn't be a factor if an employee has the years of service. Each employee should reap the rewards for years worked. A man who worked 25 years and is 51 should get the same pension as a man who worked 25 years and is 57. The work put in is just the same. The wear and tear on the body is just the same. The illness, back aches, and stress are the same.

I don't see union officials refusing any of their multiple pensions because of any age factor. Something has got to be done for the working man and woman. They've been put upon and shoved in the corner for too long. The Teamster's union has

failed in its representation of its members in regards to pensions. There certainly is enough money in the fund to give pensions to the men for the years they have worked without tying it to age.

All Teamsters should contact the union and let them know how they feel about this situation. Thank you for letting me voice my anger over this injustice.

John Talos
Local 299, Detroit

Diesel Towmotors, CF's Hypocrisy

Diesel towmotors have secured a solid foothold at the Consolidated Freightways terminal in Pocono, Pa., with about 30 machines servicing 201 doors. They are testimony to our eroding power base on the dock and the impotence of our Teamster freight division in protecting the health of its members.

A caustic haze hangs in the air as the towmotors criss-cross the dock belching plumes of black smoke. A veil of soot spreads over the terminal like black snow. Signs hang conspicuously throughout the terminal touting CF as a "World Class Quality" company.

It seems surreal. The men drift in and out of trailers, some with surgical masks on while others wear more

elaborate filtering devices. The CF signs hang from iron beams like Christmas tree ornaments. But the black phlegm we heave up is very real, and the carcinogenic health effects of diesel fumes are well-documented.

CF's hypocrisy is contemptible. I doubt the company is prepared to assume the awesome liability it should bear for continuing to use the diesel towmotors. Meanwhile, the coughing of the workers seems to mock the "safety protections" in our master agreement.

Bill Davies
Local 229, CF
Scranton, Pa.

Our Voices Heard Through TDU

In my daily efforts to help reform our union, I am often asked, "Why do we need TDU?" I answer with the following:

When we citizens want change or our views heard by the government, we also join into groups or organizations that will project our collective voices. Examples: people join the Sierra Club and Greenpeace to protect our environment, animals and planet. People join the NRA to protect their hunting and arms rights. People join Mothers Against Drunk Drivers (MADD) to protect

us against drunk drivers. And people join the Republican, Democratic or independent parties to voice their views. Joining TDU is the most effective way to have our voices heard and make positive changes in our union. I believe in TDU and our Rank & File Bill of Rights.

If you want this union to respond to its members and protect and provide better contracts, wait no longer. Join TDU, the voice of the rank and file.

Steve MacDonald
Local 490, Lucky Foods
Dixon, Calif.

TDU Meets

ATLANTA

Saturday, March 3—6 p.m.
College Park Fire Dept.
Sullivan Road, College Park, Ga.

CHICAGO

Sunday, Feb. 18—1 p.m.
VFW Hall
5858 S. Archer (off Central), Chicago

DENVER

Saturday, Jan. 27—6 p.m.
Western Motor Inn
Vasquez Blvd. at I-70, Denver, Colo.

EASTERN PENNSYLVANIA

Monday nights—6 p.m.
Amber Club, Rte. 611, Swiftwater, Pa.

KANSAS/OKLAHOMA AREA

Two meetings:
Wednesday, Feb. 7—7 p.m.
Thursday, Feb. 8—9 a.m.
Gateway Inn—Angus Room
East Highway 54, Liberal, Kan.

KANSAS CITY

Sunday, Feb. 11
Time and place TBA
Call TDU national office for info.

LEHIGH VALLEY

Sunday, Mar. 11—11 a.m.
UAW Local 677 Hall
2101 Mack Blvd., Allentown, Pa.

MEMPHIS

Tuesday, Feb. 6
Two meetings: 10 a.m. and 7 p.m.
Wheel Estates Mobile Home Park
Brooks Rd. at I-55, Memphis, Tenn.

MINNESOTA

Sunday, Feb. 18—1:30 p.m.
Trustees Dining Room
First floor, Kagin Commons Building
(N.W. corner of Snelling and Grand Aves.)
MacAlester College, St. Paul

NEW ORLEANS

Saturday, Feb. 10—10 a.m.
Howard Johnson's Airport
6401 Veteran's Memorial, Metairie, La.

PHILADELPHIA

Saturday, Feb. 24—7:30 p.m.
Center City Quality Inn Restaurant
501 N. 22nd St., Philadelphia

SAN FRANCISCO

Saturday, Feb. 10—10 a.m.—Noon
Potrero Hill Neighborhood House
953 DeHaro St. at Southern Hts. Ave.
San Francisco

SHREVEPORT

Sunday, Feb. 11—11 a.m.
Kelly's Truck Stop
I-20 and Old 80 Hwy. (Greenwood Rd.)
Shreveport, La.

ST. LOUIS

Sunday, Feb. 18—1 p.m.
Finniger's Rose Room
8338 N. Broadway, St. Louis

Deception of Corporations' Employee Involvement Programs

Dominick Buscemi
Local 773, Preston
Allentown, Pa.

As I was reading "Choosing Sides: Unions and the Team Concept" by Mike Parker and Jane Slaughter, I started thinking how some fans believe professional wrestling is real and are manipulated by their hero or heroine. There are also people who believe that the promises of Employee Involvement programs are real. But to believe that management respects us as equals is to believe that an eye gouge in wrestling is an optical massage. "Choosing Sides" gets into the techniques that management uses to introduce and encourage these programs, and suggests ways to make them work for you.

Guest Editorial

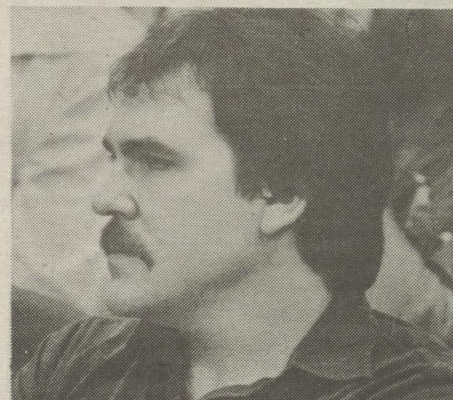
Look at Employee Involvement as a wrestling match between management and labor. We'll call these wrestlers "Sly Sinister," who is physically much smaller and weaker, and "The Trusting Giant." The match gets underway and Sly Sinister comes out wanting to be friends with The Trusting Giant. This is a *deception*. Once Sinister gains the Giant's confidence, he points down and tells him that his shoe is untied. This is a *distraction*. When the Giant looks

down, how do you define what Sinister does next?

Well, just like the "benefits" of Employee Involvement, your definition depends on your point of view. If you're on the Giant's side you would see it as a sucker punch, and call it a foul; if you're on Sinister's side, you'd see it as a clever strategy. Defining the terms is the key to understanding and dealing with Employee Involvement programs.

Employee Involvement is supposed to make our jobs more secure, our working conditions better and our union stronger. Think about it. Does your job seem more secure and less stressful? Are you really working smarter, not harder, or is the company actually getting its employees to think about ways to increase work loads? By giving concessions to keep jobs in our areas, are we making our jobs and working conditions more secure, or are we contributing to a competitive environment in which workers in another area (or local union) will give up a little more? Do the corporations use the concessions to build our companies, or to purchase non-union companies? Are union officials who allow these concessions looking out for what's best for the labor movement, or are they looking out for their own political futures?

These are important questions to



think about, brothers and sisters, because, unlike professional wrestling, this is real. If you are involved in or are thinking about getting involved in an Employee Involvement program, I strongly suggest you get a copy of "Choosing Sides" and read chapter 3.

The Trusting Giant is bigger and stronger, but Sly Sinister is shrewd. Our current IBT leadership, like the bewildered referee, is totally perplexed as labor is tied up in the ropes and worked over by a deceitful opponent. We're going to need all the help we can get to turn the tables. Ah, but the wrestling fans love it.

"Choosing Sides" may be obtained for \$16 plus shipping by writing Labor Notes, 7435 Michigan Ave., Detroit, Mich. 48210 (313) 842-6262.

All Rank & File Teamsters:

The Future Is in Your Hands

Important Elections Are Ahead ...

- ✓ In about a year, members in your local will vote in special elections for your delegates to the June 1991 IBT Convention. Rank and file members will be eligible to run.
 - ✓ Delegates will vote in secret ballot elections to nominate candidates for top IBT offices: General President, General Secretary-Treasurer, and 16 International Vice Presidents.
 - ✓ Delegates will vote to safeguard these democratic reforms in our IBT Constitution.
 - ✓ Between October and December 1991, every dues-paying Teamster will be eligible to cast his or her vote in an election for top IBT offices.
- These elections will be supervised by a court-appointed Elections Officer.



"My job is to offer the members what they deserve—leaders as honest and

hard-working as they are. ... Our members feel they have been betrayed and sold out. National contracts have been a disgrace for our union and a boon for big business."

— Ron Carey, president of New York Local 804 and an independent candidate for IBT General President. Ron wants to lead the Teamsters to the forefront of a vibrant, new North American labor movement. But he must have your support.

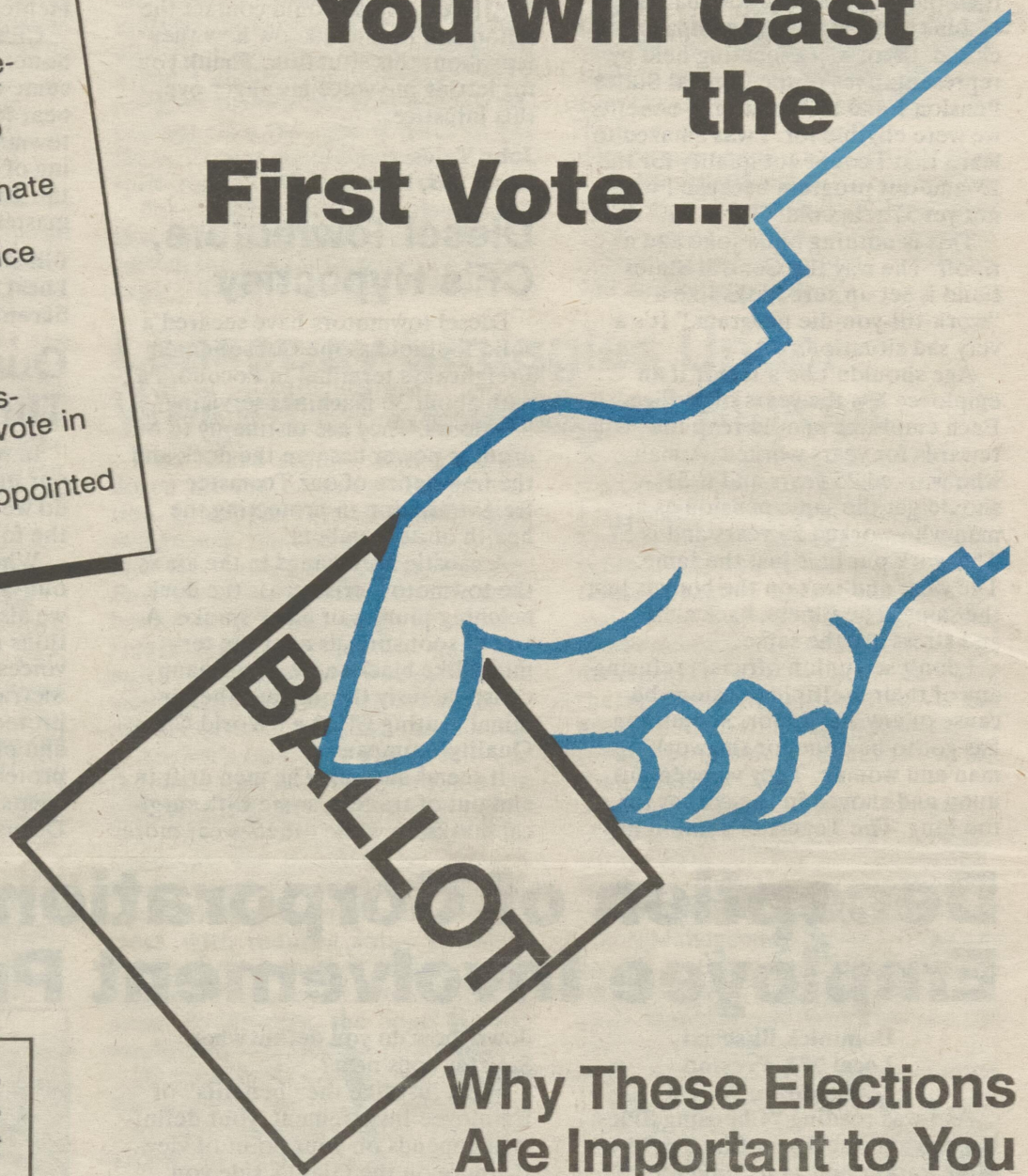
If you want to be part of the movement for a better Teamsters union, take the first step—contact TDU today. Committees are forming **now** to run delegates in every local. You can be part of making history.

Teamsters for a Democratic Union (TDU)

P.O. Box 10128
Detroit, Mich. 48210
(313) 842-2600

PLEASE POST

You Will Cast the First Vote ...



Why These Elections Are Important to You

You can help elect new leadership to the top offices of our union, stop corruption, and put an end to sellouts and excuses for inaction.

Delegates can vote to inject new life into our union and:

- ✓ End bloated salaries, double dipping and special Rolls Royce pension plans for officers.
- ✓ Draw new budget priorities aimed at building a professional organizing department with a strategy that will involve the rank and file.
- ✓ Commit our bargaining committees to negotiate grievance procedures that will protect the innocent and end the kangaroo-court system.
- ✓ Replace union pension trustees who fail to represent the best interests of union members.

Your Vote Will Make History

Our top union officials are trying to cast doubt on the election process. They are afraid you will learn about your new rights because they have so much to lose: six-figure salaries and expense accounts, multiple pensions, and the running of our union as if it were their own private club!

Make no mistake, we have won a new Right to Vote and our rights will be protected in supervised elections. But no amount of safeguards will work if we do not exercise our rights now. Spread the word. Get involved. Together we will win.